



# City of Cookeville | ADA Self-Evaluation and Transition Plan

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In Association with:



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# Abbreviations

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- ADA - Americans with Disabilities Act
- ADAAG – Americans with Disabilities Act Accessibility Guidelines
- CATS - Cumberland Human Resource Agency’s Cookeville Area Transit System
- CFR - Code of Federal Regulations
- CIP - Capital Improvement Projects
- DOJ - United States Department of Justice
- EITA – Electronic and Information Technology Accessibility
- FHWA - Federal Highway Administration
- MUTCD - Manual on Uniform Traffic Control Devices
- PROWAG - Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way
- PSA – Program, Services, and Activities
- TTY - Teletypewriter
- WAVE – Web Accessibility Evaluation Tool

## 1.0 Introduction

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### 1.1 Legislative Mandate

The Americans with Disabilities Act (ADA) is a civil rights law that mandates equal opportunity for individuals with disabilities. The ADA prohibits discrimination in access to jobs, public accommodations, government services, public transportation, and telecommunications. Title II of the ADA also requires that all programs, services, and activities (PSAs) of public entities provide equal access for individuals with disabilities.

The City of Cookeville has undertaken a comprehensive evaluation of its PSAs to determine the extent that individuals with disabilities may be restricted in their access.

### 1.2 ADA Self-Evaluation and Transition Plan Development Requirements and Process

The City of Cookeville is obligated to observe all requirements of Title I in its employment practices; Title II in its policies, programs, and services; any parts of Titles IV and V that apply to the City of Cookeville and its programs, services, or facilities; and all requirements specified in the 2010 ADA Standards and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) that apply to facilities and other physical holdings.

Title II has the broadest impact on the City of Cookeville. Included in Title II are administrative requirements for all government entities employing more than 50 people. These administrative requirements are:

- Completion of a Self-Evaluation;
- Development of an ADA complaint procedure;
- Designation of at least one (1) person who is responsible for overseeing Title II compliance; and
- Development of a Transition Plan to schedule the removal of the barriers uncovered by the Self-Evaluation process. The Transition Plan will become a working document until all barriers have been addressed.

This document describes the process developed to complete the evaluation of the City of Cookeville's PSAs and facilities, provides possible solutions to remove programmatic barriers, and presents a Transition Plan for the modification of facilities and public rights-of way to improve accessibility, which will guide the planning and implementation of necessary program and facility modifications over the next 30 years. The ADA Self-Evaluation and Transition Plan is significant in that it establishes the City of Cookeville's ongoing commitment to the development and maintenance of PSAs and facilities that accommodate all its citizenry.

### 1.3 Discrimination and Accessibility

Program accessibility means that, when viewed in its entirety, each program is readily accessible to and usable by individuals with disabilities. Program accessibility is necessary not only for individuals with mobility needs, but also to individuals with sensory and cognitive disabilities.

Accessibility applies to all aspects of a program or service, including but not limited to physical access, advertisement, orientation, eligibility, participation, testing or evaluation, provision of auxiliary aids, transportation, policies, and communication.



The following are examples of elements that should be evaluated for barriers to accessibility:

### 1.3.1 Physical Barriers

- Parking
- Path of travel to, throughout, and between buildings and amenities
- Doors
- Service counters
- Restrooms
- Drinking fountains
- Public telephones
- Path of travel along sidewalk corridors within the public rights-of-way
- Access to pedestrian equipment at signalized intersections

### 1.3.2 Programmatic Barriers

- Building signage
- Customer communication and interaction
- Non-compliant sidewalks or curb ramps
- Emergency notifications, alarms, and visible signals
- Participation opportunities for City sponsored events

### 1.3.3 Ongoing Accessibility Improvements

City PSAs and facilities evaluated during the Self-Evaluation will continue to be evaluated on an ongoing basis, and the ADA Transition Plan will be revised to account for changes that have been or will be completed since the initial Self-Evaluation. This Plan will be posted on the City's website for review and consideration by the public.

### 1.3.4 City of Cookeville Approach

The purpose of the Transition Plan is to provide the framework for achieving equal access to the City of Cookeville's programs, services, and activities within a reasonable timeframe. The City's elected officials and staff believe that accommodating individuals with disabilities is essential to good customer service, ensures the quality of life Cookeville residents seek to enjoy, and guides future improvements. This Plan has been prepared after careful study of all the City's programs, services, activities, and evaluation of a select number of City facilities.

The City of Cookeville should make reasonable modifications in PSAs when the modifications are necessary to avoid discrimination based on disability, unless the City can demonstrate that making the modifications will fundamentally alter the nature of the program, service, or activity. The City of Cookeville will not place surcharges on individuals with disabilities to cover the cost involved in making PSAs accessible.

## 2.0 Public Outreach

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The City hosted a public meeting on August 13, 2018 to provide a summary of the transition planning process and receive feedback on any concerns related to accessibility. In addition, the City contacted local disability organizations to form an ADA Advisory Committee and hosted an ADA Advisory Committee kick-off meeting on January 31, 2018 and a progress meeting on August 13, 2018. The City will continue to solicit feedback from the public on the Transition Plan.

The public meeting and ADA Advisory Committee meeting notes are provided in **Appendix A**. The following comments were provided on comment forms following the public meeting:

- Will parking lots adjacent to buildings be evaluated?
- The doors to the restrooms at Dogwood Park are too heavy to open. Cane Creek doors are also difficult to open.

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## 3.0 Self-Evaluation and Summary of Findings

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The City of Cookeville's Americans with Disabilities Act (ADA) Transition Plan reflects the results of a comprehensive review of the programs, services, and activities provided to employees and the public. The review identifies programmatic barriers to individuals with disabilities interested in accessing the programs, services, and activities offered by the City.

### 3.1 Programs, Procedures, and Policies Review

Under the ADA, the City of Cookeville is required to complete a Self-Evaluation of the City's facilities, programs, policies, and practices. The Self-Evaluation identifies and provides possible solutions to those policies and practices that are inconsistent with Title II requirements. To be compliant, the Self-Evaluation should consider all the City's programs, services, and activities, as well as the policies and practices the City uses to implement its various programs and services.

To comply with requirements of the plan, the City must take corrective measures to achieve program accessibility through several methods, including, but not limited to:

- (1) Relocation of programs to accessible facilities;
- (2) Modifications to existing programs so they are offered in an accessible manner;
- (3) Structural methods such as altering an existing facility;
- (4) Policy modifications to ensure nondiscrimination; and
- (5) Auxiliary aids needed to provide effective communication.

When choosing a method of providing program access, the City should attempt to give priority to the method that promotes inclusion among all users, including individuals with disabilities.

Programs, services, and activities offered by the City to the public must be accessible. Accessibility applies to all aspects of a program, services, or activity, including advertisement, orientation, eligibility, participation, testing or evaluation, physical access, provision of auxiliary aids, transportation, policies, and communication.

However, the City does not have to take any action that will result in a fundamental alteration in the nature of a program or activity, create a hazardous condition for other people, or result in an undue financial and/or administrative burden. This determination can only be made by the ADA/504 Coordinator and/or an authorized designee of the City, such as the City Manager or his designee and must be accompanied by a written statement detailing the reasons for reaching the determination.

The determination of undue burden must be based on an evaluation of all resources available for use. If a barrier removal action is judged unduly burdensome, the City must consider all other options for providing access that will ensure that individuals with disabilities receive the benefits and services of the program or activity. This process must be fully documented.

### 3.1.1 Departmental Surveys and Interviews

The interactive survey process was conducted following the review of the City's website. Program, services, and activities questionnaires were submitted to each City department. The questionnaires were tailored to the PSAs offered by each department and used to finalize the determination of ADA compliance for each department's PSA. The responses were reviewed and possible solutions for issues identified have been integrated throughout the ADA Transition Plan. See **Appendix B** for copies of the completed Departmental Survey and Interview Findings Summaries in their entirety.

#### Survey of Departments: Self-Evaluation Findings

- Most department contacts are aware that ADA obligations exist. However, they were not aware of the specific requirements.
- Department contacts were unaware of a City-wide ADA grievance policy and procedure. However, all City staff were aware of the City's general grievance policy and procedure, which does not specifically address ADA Title I or Title II.
- Most department contacts were unsure if the City has a reasonable accommodation policy and procedure.
- Most department contacts were unsure if the City has a process on how to obtain alternate formats of City documents or the types of formats available.
- Most department contacts were unsure if the City has a public notice under the ADA.
- ADA specific training is not a common practice throughout the City.
- All departments have an ADA Liaison; however, no specific training has been conducted to ensure all Liaisons are aware of their roles and responsibilities.
- Department contacts were unaware of policies and procedures or guidelines in place regarding ADA compliant purchasing and procurement.
- Most department contacts indicated they do not use ADA checklists to ensure ADA compliance.
- Most department contacts were unaware of City-wide non-discrimination statements that are required to be included in all information distributed by the City.

#### Survey of Departments: Possible Solutions

The possible solutions associated with each of the departmental surveys and interviews have been incorporated into **Sections 3.1.2 – 3.2.5** of this document, as applicable for all City programs, policies, and procedures.

### 3.1.2 Department-Specific Information

During the departmental survey and interview process, additional information was gathered for each department. A discussion of additional programmatic elements found during the research and evaluation process for each department is included in the following section.

#### ***General Information***

##### General Information: Self-Evaluation Findings

- The Customer Service Policies Manual does not include ADA-specific guidance regarding ADA compliant customer service.
- The Fitness Incentive Guide does not list ADA compliant activities on the qualifying activity list.
- The Summer Camp Handbook does not include any ADA information.
- Page 52 of the Subdivision Regulations and Illustrations document provides information regarding the installation of sidewalk. However, this document does not mention regulations or sidewalks specifications for installing compliant sidewalks. Also, this document does not mention who has the responsibility of maintaining these sidewalks, and no information is provided regarding curb ramps.
- Section 15-614, page 8 of Parking Ordinance 017-10-18 includes outdated language such as “handicapped.”

##### General Information: Possible Solutions

- The Customer Service Policies Manual should be revised to include ADA-specific guidance to assist staff in ensuring ADA compliant customer service.
- The Fitness Incentive Guide should be revised to include alternate forms of activities that would be considered as an ADA equivalent exercise.
- The Summer Camp Handbook should be revised to including ADA-specific policies and procedures developed as a part of this transition plan process.
- Page 52 of the Subdivision Regulations and Illustrations document should be revised to provide guidance regarding laws and regulations for sidewalks and curb ramps. Also, information clarifying maintenance responsibilities should be included.
- Section 15-614, page 8 of Parking Ordinance 017-10-18 should be revised to include updated language in accordance with the U.S. Department of Justice.

#### ***Accounting and Finance Department***

##### Accounting and Finance Department: Self-Evaluation Findings

The Department does not use a procurement policy and procedure or guidance that reviews information and technology purchases for ADA compliance before purchase.

#### Accounting and Finance Department: Possible Solutions

The Department should develop a procurement policy and procedure or guidelines for City staff to use that reviews information and technology purchases for ADA compliance before purchase. While this policy and procedure is not a specific ADA requirement, it is recommended the City develop this policy and procedure to combine with information and technology policies and procedures to ensure ADA compliance with Section 508 of the Rehabilitation Act.

### ***Animal Shelter***

#### Animal Shelter: Self-Evaluation Findings

- The Animal Shelter offers facility tours but does not use checklists to ensure that all tours are ADA compliant.
- The Animal Shelter does not have guidance in place for staff to ensure that the Animal Shelter is providing ADA accessible community programs, services, and activities.

#### Animal Shelter: Possible Solutions

- The Animal Shelter should develop and use specific ADA checklists or guidance to ensure that all tours are ADA compliant. These checklists or guidance should include information regarding tour operations and facility compliance. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide staff with the necessary tools to ensure ADA compliance.
- The Animal Shelter should use policies and procedure developed from this Transition Plan process to develop specific ADA guidance for staff to use to ensure that the Animal Shelter is providing ADA accessible programs, services, and activities. This may include providing alternate formats, providing equal access to Animal Shelter services and events, etc. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide staff with the necessary tools to ensure ADA compliance.

### ***City Clerk's Office***

#### City Clerk's Office: Self-Evaluation Findings

- City Council meeting agendas and minutes do not contain a City-wide non-discrimination statement.
- The City Clerk's Office does not have an alternate format policy, procedure, and form in place.

#### City Clerk's Office: Possible Solutions

- The City Clerk's Office should incorporate a City-wide non-discrimination statement into all City Council meeting agendas and minutes. See **Section 3.1.10 Non-Discrimination Language**.
- The City Clerk's Office should use the alternate format policy, procedure, and form developed from this transition plan process. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.

## ***City Court***

### City Court: Self-Evaluation Findings

- The Court defers to the City for ADA grievances for Title I. However; the Court does not have an ADA grievance policy, procedure, and form with appeals process in place for Title II.
- The Court defers to the City for a reasonable accommodation policy, procedure, and form for Title I. However, the Court does not have a reasonable modification policy, procedure, and form in place for Title II.

### City Court: Possible Solutions

- For Court ADA grievance policy, procedure, and form with appeals process for Title I, see **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process**.
- The Court should develop a Court specific ADA grievance policy, procedure, and form with appeals process for Title II. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process**.
- For Court reasonable accommodation policy, procedure, and form for Title I, see **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The Court should develop a Court specific reasonable modification policy, procedure, and form for Title II. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.

## ***Codes Department***

### Codes Department: Self-Evaluation Findings

- The Department issues building, mechanical, and plumbing permits within the city limits of Cookeville. However, the Department does not use checklists to ensure ADA accessibility.

### Codes Department: Possible Solutions

- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

## ***Customer Service / Billing Department***

### Customer Service / Billing Department: Self-Evaluation Findings

- The Department does not provide annual ADA training for employees regarding Title I and Title II.
- The City does not have a policy or procedure in place to address alternate formats. Alternate formats are auxiliary aids, services, or devices that enable effective communication for people with disabilities.

#### Customer Service / Billing Department: Possible Solutions

- Department staff should attend annual ADA-specific training. This training should include how to assist individuals with disabilities, adopted City ADA policies and procedures, service animals, ADA compliant customer service, etc. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. For possible solutions regarding training, see **Section 3.1.17 Employment Practices Review**.
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.

### ***Electricity Department***

#### Electricity Department: Self-Evaluation Findings

- The Department does not provide annual ADA training for employees regarding Title I and Title II.

#### Electricity Department: Possible Solutions

- Department staff should attend annual ADA-specific training. This training should include how to assist individuals with disabilities, adopted City ADA policies and procedures, service animals, ADA compliant customer service, etc. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. For possible solutions regarding training, see **Section 3.1.17 Employment Practices Review**.

### ***Fire Department***

#### Fire Department: Self-Evaluation Findings

- The Department offers facility tours but does not use checklists to ensure that all tours are ADA compliant.
- The Department does not have guidance in place for Department staff to ensure that the Department is providing ADA accessible community programs, services, and activities.

#### Fire Department: Possible Solutions

- The Department should develop and use specific ADA checklists or guidance to ensure that all tours are ADA compliant. These checklists or guidance should include information regarding tour operations and facility compliance. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- The Department should use policies and procedure developed from this Transition Plan process to develop specific ADA guidance for Department staff to use to ensure that the Department is providing ADA accessible programs, services, and activities. This may include providing alternate formats, providing equal access to Department services and events, etc. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

## ***Gas Department***

### Gas Department: Self-Evaluation Findings

- The Department website states that individuals must provide copies of a valid driver's license and social security card to obtain services. However, these requirements are considered discriminatory.

### Gas Department: Possible Solutions

- The Department should evaluate the requirements for individuals to provide copies of a valid driver's license and social security card to obtain services. When a driver's license is required, the City must ensure this is a bona fide requirement to ensure non-discrimination. If this requirement is not necessary, this website language should be revised to require a state-issued identification instead of a valid driver's license and social security card.

## ***Human Resources Department***

### Human Resources Department: Self-Evaluation Findings

- The Department provides new employee orientation upon hire and provides contact information for the ADA/504 Coordinator. During the orientation process, new employees are provided with information regarding OSHA, personnel, benefits and Department operations. However, employees are not provided ADA-specific training and information regarding their rights and obligations under the ADA. All new employees receive the City of Cookeville personnel rules.
- The Department does not provide annual ADA training for employees regarding Title I and Title II.

### Human Resources Department: Possible Solutions

- The Department should integrate ADA specific training within the new employee orientation program. This training should include information regarding employee's rights and obligations under the ADA and information regarding the ADA/504 Coordinator. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA, as well as the tools needed to ensure ADA compliance. The new employee orientation program should also include policies and procedure developed from this Transition Plan process within the City of Cookeville personnel rules. For possible solutions regarding these personnel rules, see **Section 3.1.17 Employment Practices Review**.
- The Department, in conjunction with City ADA/504 Coordinators for Title I and Title II, should administer annual ADA training for employees. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance. For possible solutions regarding training, see **Section 3.1.17 Employment Practices Review**.



## ***Leisure Services and Public Facilities Department***

### Leisure Services and Public Facilities Department: Self-Evaluation Findings

- The Department defers to the City for ADA grievances for Title I. However, the Department does not have an ADA grievance policy, procedure, and form with appeals process in place for Title II.
- The Department defers to the City for reasonable accommodation policy, procedure, and form for Title I. However; the Department does not have a reasonable modification policy, procedure, and form in place for Title II.
- The Department does not have an out-of-order policy and procedure or guidelines in place.
- The Department does not have a maintenance policy and procedure or guidelines in place.
- The Department develops special event plans. However, these plans do not provide ADA-specific guidance to ensure ADA compliance.

### Leisure Services and Public Facilities Department: Possible Solutions

- For the Department ADA grievance policy, procedure, and form with appeals process for Title I and Title II, see **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process**.
- For the Department reasonable accommodation policy, procedure, and form for Title I, see **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The Department should develop a Department specific reasonable modification policy, procedure, and form for Title II. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- The Department should develop an out-of-order policy and procedure or guidelines to assist City staff in ensuring that ADA elements are repaired and in working condition in a timely manner. While this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are in working order and are readily accessible. This policy and procedure or guidelines provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should develop a maintenance policy and procedure or guidelines to assist City staff in maintaining ADA elements in ADA compliance. While this policy and procedure or guidance is not a specific ADA requirement, as a Title II entity, the City is obligated to ensure all ADA elements are maintained in an accessible manner and are readily accessible. This policy and procedure or guidelines would provide guidance to employees and the tools needed to ensure ADA compliance.
- The Department should work with the ADA/504 Coordinator and the Human Resources Division to develop ADA specific guidelines for special events. While these guidelines are not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines would provide guidance to employees and provide the tools needed to ensure ADA compliance.

## ***Planning Department***

### Planning Department: Self-Evaluation Findings

- Department staff has attended limited training regarding the ADA.
- Department staff does not use specific checklists regarding ADA compliance.

### Planning Department: Possible Solutions

- Department staff should attend annual ADA training to ensure all staff is aware of the City's obligations and rights under the ADA. For possible solutions regarding training, see **Section 3.1.17 Employment Practices Review**.
- The Department should develop and use specific ADA checklists or guidance to ensure ADA compliance. These checklists or guidance should include information regarding the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG). While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.

## ***Police Department***

### General Information: Self-Evaluation Findings

- Department staff is not required to attend annual ADA specific training.
- The Department does have department-specific general orders. These general orders do not consistently reference ADA policies and procedures or guidelines.
- The Department defers to the City for ADA grievances for Title I. However, the Department does not have an ADA grievance policy, procedure, and form with appeals process in place for Title II.
- The Department defers to the City for reasonable accommodation policy, procedure, and form for Title I. However, the Department does not have a reasonable modification policy, procedure, and form in place for Title II.
- The Department does not have an alternate format policy and procedure in place.
- The Department has guidelines in place regarding special events. However, these guidelines do not specifically address ADA compliance.

### General Information: Possible Solutions

- Department staff should attend annual ADA-specific training. This training should include how to deal with individuals with disabilities, adopted City ADA policies and procedures, service animals, handling the property of individuals with disabilities, etc. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. This training would provide guidance to employees regarding their rights under the ADA and the tools needed to ensure ADA compliance.

#### General Information: Possible Solutions (cont.)

- The Department should use policies and procedure developed from this Transition Plan process to develop specific ADA guidance for Department staff to incorporate into the general orders to ensure that the Department is providing ADA accessible programs, services, and activities. This may include providing alternate formats, providing equal access to Department services and events, etc. While this is not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities and this guidance would provide the Department staff with the necessary tools to ensure ADA compliance.
- For the Department ADA grievance policy, procedure, and form with appeals process for Title I and Title II, see **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeal Process.**
- For the Department reasonable accommodation policy, procedure, and form for Title I, see **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- The Department should develop a Department specific reasonable modification policy, procedure, and form for Title II. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- The Department should defer to the adopted City-wide alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form.**
- The Department should develop ADA specific guidelines for special events. While these guidelines are not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines would provide guidance to employees and provide the tools needed to ensure ADA compliance.

#### Police Department General Orders (GO): Self-Evaluation Findings

- General Order 12-3 Complaints  
This GO does not mention any ADA-specific policies or procedures.
- General Order 12-5 Grievances  
This GO does not mention ADA-specific policies or procedures.
- General Order 71-1 Property and Evidence Procedures  
This GO does not mention ADA-specific policies or procedures.
- Canons of Police Ethics  
This GO does not mention ADA-specific policies or procedures including a City-wide non-discrimination statement.
- General Order 1-1 Rules and Regulations  
Section 1-1.7 Prohibited Behavior states that all members shall at all times consider their duty to be of service to anyone in danger or distress. They shall neither discriminate against nor show partiality for any person because of race, sex, religion, friendship, fraternal or social affiliations, or for any reason. However, disability is not mentioned.

Police Department General Orders (GO): Self-Evaluation Findings (cont.)

- General Order 1-5 Dress Code  
This GO does not mention ADA-specific policies or procedures including a reasonable accommodation request policy and procedure.
- General Order 11-2 Purchasing Policy  
This GO does not mention ADA-specific policies or procedures including a procurement policy and procedure or guidelines.
- General Order 28-1 Bias Based Profiling  
This GO does mention disability. However, it does not mention ADA-specific policies and procedures including a non-discrimination statement.
- General Order 30-5 Patrol Procedures  
This GO does not mention ADA-specific policies and procedures including guidance for officers who may encounter individuals with disabilities.
- General Order 30-8 Responding to Persons with Mental Illness  
This GO is intended to address the most common types of interactions with people who may have a mental illness. However, information regarding the process in which an officer would attempt to ask what type of accommodation is needed to help the situation is not available.
- General Order 31-1 Traffic Law Enforcement  
This GO has a section regarding special traffic problems involving individuals with disabilities during routine traffic law enforcement activities. However, no guidance is provided on how to assist staff in dealing with a person who may have a disability.
- General Order 31-2 DUI Enforcement Procedures  
This GO does not include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 31-3 Traffic Crash Investigation  
This GO does not include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 31-4 Vehicular Homicide Investigation  
This GO does not include information on how to deal with individuals who may have a disability including communication.
- General Order 32-1 Juvenile Operations  
This GO does not include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 33-1 Field Interviews  
This GO does not include information on how to deal with individuals who may have a disability including communication.

Police Department General Orders (GO): Self-Evaluation Findings (cont.)

- General Order 40-1 MVR Equipment  
This GO does not include ADA-specific ADA policies and procedures including an alternate format policy and procedure.
- General Order 60-1 Domestic Violence  
This GO includes information regarding Special Needs Victims. However, no guidance is provided on how to assist staff in dealing with an individual who may have a disability.
- General Order 65-1 Investigation Procedures  
This GO does not include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 65-2 Polygraph Examinations  
This GO mentions "Request for Polygraph Examinations" and states to send a request to the polygraph examiner but does not mention the actual process and in what format. Also, no guidance is provided about assisting individuals with disabilities.
- General Order 66-1 Informant Management  
This GO does not mention how to assist individuals with disabilities such as communications and reasonable accommodation.
- General Order 70-1 Evidence Collection  
This GO does not mention the policy and procedures for the process of collecting an assistive device as evidence from a crime scene that may needed as an aide to an individual with a disability.
- General Order 80-1 Transportation of Non-Departmental Personnel  
This GO mentions information regarding the transport of a "Handicapped Prisoner." This language needs to be updated in accordance with the U.S. Department of Justice. In addition, the GO also states that the officer will ensure that whatever special equipment and medicine needed by the prisoner is transported to the destination. However, it does not mention service animals or ADA compliant communication.
- General Order 81-1 Arrest Booking Procedure  
This GO does not mention information regarding how to deal with a person who may have a disability. This would include communication or "Miranda Warnings" and no information regarding ADA accessible facilities.
- General Order 85-1 Victim Witness Assistance  
This GO does not provide guidance on communicating with individuals with disabilities.

Police Department General Orders (GO): Self-Evaluation Findings (cont.)

- General Order 88-1 Unusual Occurrences and All Hazard Plan
  - This GO includes good information regarding details that should be included in an Emergency Management Plan. However, no information is included regarding assisting individuals with disabilities.
  - This GO states that a Public Information Officer will be appointed. However, it does not include guidance regarding ADA compliant communication efforts and policies.
  - This GO addresses prisoner confinement and detention facilities. However, it does not include information to ensure ADA compliance.
  - This GO includes information regarding the transportation of prisoners. However, it does not include information regarding ADA compliant transportation.
  - This GO includes information regarding disasters. However, it does not include guidance on how to assist the injured with disabilities.
- General Order 88-2 Rapid Response to Active Threat

This GO includes information regarding Rapid Response to Active Threat. However, this does not include information regarding ADA compliant effective communication efforts and policies.
- General Order 90-1 High Risk Situations

This GO does not include information regarding assessing hostages or individuals in the area of the situation to see if any individuals may have disabilities in the event special arrangements need to be made for rescue, specific time constraints, etc.
- General Order 93-1 Crisis Negotiations Team Procedures
  - This GO does not include any information regarding how to assist an individual who may have a disability such as a hearing impairment.
  - This GO also includes information on the selection process for the negotiation team. However, it does not mention physical requirements.
- General Order 96-1 Special Events

This GO does not include information regarding assisting individuals with disabilities which may include accessible communications efforts and policies.
- General Order 106-1 Selection

This GO includes the City of Cookeville's Employment Program through the Police Department. However, this information does not include a City-wide non-discrimination statement.
- General Order 110-1 Training

This GO does not provide information regarding ADA-specific training.

Police Department General Orders (GO): Self-Evaluation Findings (cont.)

- General Order 121-1 Promotion Process
  - This GO does state, "This employment program includes the functional area of promotion. Specific responsibilities include...Assuring that all examinations are in compliance with the City's Equal Opportunity Employment commitments, programs, and practices." However, a non-discrimination statement is not included.
  - This GO also mentions that the HR Director will draft a written announcement of promotional vacancies. This section does not mention to include a non-discrimination statement.
  - This GO mentions promotion qualifications. However, qualifications do not mention mental or physical requirements.
  - This GO includes information regarding grievances regarding the promotional process. However, it does not reference grievances for discrimination based on a disability.
- General Order 125-1 Line Staff Inspections

This GO includes information that states the Chief of Police is responsible for establishing and maintaining a system of inspection to obtain the information needed to direct the operation of the Cookeville Police Department. However, it does not mention the inspection of the Department's policies and procedures to ensure ADA compliance.
- General Order 130-1 Physical Fitness

This GO includes information regarding Light Duty and further states that the City will attempt to make reasonable accommodations for employees to return to work and perform modified or light duty. However, a reasonable accommodation request policy, procedure, and form are not referenced.
- General Order 150-1 Field Training and Evaluation Program

This GO does not mention any training or orientation regarding ADA rights or obligations.
- General Order 152-1 Intern Program

This GO does contain student requirements for the intern program. However, it does not include information regarding physical requirements. Students apply for the program through their college or university and are provided orientation with the department's rules and regulations. However, no ADA-specific information regarding their rights or obligations is provided.
- General Order 205-1 Public Access to Police Records

This GO does not mention an alternate format policy and procedure.
- Law Enforcement Code of Ethics

This GO does not include a City-wide non-discrimination statement.



### Police Department General Orders: Possible Solutions

- General Order 12-3 Complaints  
This GO should be revised to include information regarding ADA policies and procedures that were developed as a part of this transition plan process.
- General Order 12-5 Grievances  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process.
- General Order 71-1 Property and Evidence Procedures  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process.
- Canons of Police Ethics  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process including a City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.
- General Order 1-1 Rules and Regulations  
Section 1-1.7 Prohibited Behavior should be revised to include the word "disability."
- General Order 1-5 Dress Code  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process including a reasonable accommodation request policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- General Order 11-2 Purchasing Policy  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process including a procurement policy and procedure or guidelines.
- General Order 28-1 Bias Based Profiling  
This GO should be revised to include information regarding the ADA-specific policies or procedures developed from this transition plan process including a non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.
- General Order 30-5 Patrol Procedures  
This GO should be revised to include information regarding ADA-specific policies and procedures developed from this transition plan process including guidance for officers who may encounter individuals with disabilities.
- General Order 30-8 Responding to Persons with Mental Illness  
This GO should be revised to include information regarding the process in which an officer would attempt to ask what type of accommodation is needed to help the situation. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.

Police Department General Orders: Possible Solutions (cont.)

- General Order 31-1 Traffic Law Enforcement  
This GO should be revised to include information regarding how to assist staff in dealing with a person who may have a disability.
- General Order 31-2 DUI Enforcement Procedures  
This GO should be revised to include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 31-3 Traffic Crash Investigation  
This GO should be revised to include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 31-4 Vehicular Homicide Investigation  
This GO should be revised to include information on how to deal with individuals who may have a disability including communication.
- General Order 32-1 Juvenile Operations  
This GO should be revised to include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 33-1 Field Interviews  
This GO should be revised to include information on how to deal with individuals who may have a disability including communications.
- General Order 40-1 MVR Equipment  
This GO should be revised to include ADA-specific ADA policies and procedures including an alternate format policy and procedure. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- General Order 60-1 Domestic Violence  
This GO should be revised to include guidance on how to assist staff in dealing with an individual who may have a disability.
- General Order 65-1 Investigation Procedures  
This GO should be revised to include information on how to deal with individuals who may have a disability including communication, transportation, and processing.
- General Order 65-2 Polygraph Examinations  
This GO should be revised to include additional information regarding the process to request a polygraph examiner. This information should include the format in which the requested test should be given, the reasonable modification requests, and specific guidance on assisting individuals who may have a disability.
- General Order 66-1 Informant Management  
This GO should be revised to include information regarding how to deal with individuals who may have a disability including communications and reasonable accommodations.

#### Police Department General Orders: Possible Solutions (cont.)

- General Order 70-1 Evidence Collection  
This GO should be revised to include information regarding policies and procedures for the process of collecting an assistive device as evidence from a crime scene that may be needed as an aid to an individual with a disability.
- General Order 80-1 Transportation of Non-Departmental Personnel  
This GO should be revised to include updated language in accordance with the U.S. Department of Justice. In addition, the language should be added to include service animals when considering transportation to the destination. **See Section 3.1.7 Service Animal Guidance.**
- General Order 81-1 Arrest Booking Procedure  
This GO should be revised to include information regarding how to deal with a person who may have a disability. This would include communication of "Miranda Warnings" and ensuring the prisoner is taken to an ADA accessible facility.
- General Order 85-1 Victim Witness Assistance  
This GO should be revised to include guidance on communicating with individuals with disabilities.
- General Order 88-1 Unusual Occurrences and All Hazard Plan
  - This GO should be revised to include ADA-specific information developed from this transition plan process. In addition, the revised information should then be incorporated in the Emergency Management Plan for the Public, as well as an Emergency Evacuation Plan for employees and visitors. **See Section 3.1.19 Emergency Management Plan Review.**
  - This GO should be revised to include information regarding the City's ADA compliant effective communication efforts and policies. **See Section 3.2.5 Effective Communication Efforts and Policy.**
  - This GO should be revised to include information regarding guidance on achieving ADA compliance within confinement and detention facilities.
  - This GO should be revised to include information regarding ADA compliant transportation.
  - This GO should be revised to include guidance on assisting individuals who are injured that may have a disability. In addition, the revised information should then be incorporated in the Emergency Management Plan for the Public, as well as an Emergency Evacuation Plan for employees and visitors. **See Section 3.1.19 Emergency Management Plan Review.**
- General Order 88-2 Rapid Response to Active Threat  
This GO should be revised to include information regarding ADA compliant effective communication efforts and policies. For example, the GO mentions a situation of an active shooter at a school. Teachers will lock the doors and students sit in the classroom until the Police Department provides instructions otherwise. However, sometimes there may be a situation where a special education classroom needs specific instructions communicated in an alternate format.
- General Order 90-1 High Risk Situations  
This GO should be revised to include information regarding assessing hostages or individuals in the area of the situation to see if any individuals may have disabilities in the event special arrangements need to be made for rescue, specific time constraints, etc.

# Police Department General Orders: Possible Solutions (cont.)

- General Order 93-1 Crisis Negotiations Team Procedures
  - This GO should be revised to include information regarding how to assist an individual who may have a disability.
  - This GO should include additional information regarding physical requirements to be selected for the negotiation team.
- General Order 96-1 Special Events
  - This GO should be revised to include information regarding assisting individuals with disabilities which may include accessible communications efforts and policies.
  - The Department should work with the ADA/504 Coordinator and the Human Resources Division to develop ADA specific guidelines for special events. While these guidelines are not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines would provide guidance to employees and provide the tools needed to ensure ADA compliance.
- General Order 106-1 Selection
 

This GO should be revised to include a City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.
- General Order 110-1 Training
 

This GO should be revised to include information regarding ADA-specific training. See **Section 3.1.17 Employment Practices Review**.
- General Order 121-1 Promotion Process
 

This GO should be revised to include a City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language**.

  - This GO should be revised to include mental or physical requirements.
  - This GO should include information regarding grievances for discrimination based on a disability developed from this transition plan process. See **Section 3.1.8 ADA Grievance Policy, Procedure, and Form with Appeal Process**.
- General Order 125-1 Line Staff Inspections
 

This GO should be revised to include language regarding the inspection of the Department's policies and procedures to ensure ADA compliance.
- General Order 130-1 Physical Fitness
 

This GO should be revised to including information regarding a reasonable accommodation request policy, procedure and form is not referenced. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- General Order 150-1 Field Training and Evaluation Program
 

This GO should be revised to include training information on ADA rights and obligations.

#### Police Department General Orders: Possible Solutions (cont.)

- General Order 152-1 Intern Program  
This GO should be revised to include physical requirements and information regarding the interns ADA rights and obligations.
- General Order 205-1 Public Access to Police Records  
This GO should be revised to include information regarding an alternate format policy and procedure. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form.**
- Law Enforcement Code of Ethics  
This GO should be revised to include a City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Language.**

#### ***Public Works Department***

##### Public Works Department: Self-Evaluation Findings

- The City has not formally adopted the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way (PROWAG).
- The Department does not use ADA specific guidance when designing projects or reviewing plans with ADA elements.
- The City does not have ADA specific requirements for design consultants.

##### Public Works Department: Possible Solutions

- While the PROWAG has not yet been finalized, it is recommended that the City formally adopt PROWAG as a City standard practice and also develop ADA specific guidance regarding the use of PROWAG. This guidance should be used Department-wide and throughout the City, as needed. While the adoption is not an ADA requirement, it is strongly recommended to ensure ADA compliance.
- The City should develop ADA-specific requirements for design consultants to follow when working on projects that include ADA elements. These requirements should include training on PROWAG requirements and City expectations. While this is not an ADA specific requirement, this is recommended to ensure that consultants take responsibility and are designing ADA elements within the City in ADA compliance.

#### **3.1.3 ADA/504 Coordinator (Title I / Title II)**

Under the ADA Title II, when a public entity has 50 or more employees based on an entity-wide employee total count, the entity is required to designate at least one (1) qualified responsible employee to coordinate compliance with ADA requirements. The name, office address, and telephone number of this individual must be available and advertised to employees and the public. This allows for someone to assist with questions and concerns regarding disability discrimination to be easily identified.

#### ADA/504 Coordinator: Self-Evaluation Findings

The City of Cookeville has appointed Gail Fowler, Director of the Human Resources Department, as the ADA/504 Coordinator for Title I and Title II. Below is her contact information. However, this information is not published on the City website or in other City documents:

Gail Fowler, ADA/504 Coordinator  
45 East Broad Street  
Cookeville, TN 38501  
Phone: 931-520-5256  
Tennessee Relay: 7-1-1  
gfowler@cookeville-tn.gov

#### ADA/504 Coordinator: Possible Solutions

Gail Fowler was recently appointed as the Title I and Title II ADA/504 Coordinator. This information should be prominently displayed in common areas that are accessible to all employees and areas open to the public. Also, the ADA/504 Coordinator contact information must be included in all materials that are distributed by the City, which includes posting this information on the website.

#### 3.1.4 Roles and Responsibilities of the ADA/504 Coordinator

Below is a list of qualifications for ADA Coordinators that are recommended by U.S. Department of Justice:

- Familiarity with the entity's structures, activities, and employees;
- Knowledge of the ADA and other laws addressing the rights of people with disabilities, such as Section 504 of the Rehabilitation Act;
- Experience with people with a broad range of disabilities;
- Knowledge of various alternative formats and alternative technologies that enable individuals with disabilities to communicate, participate, and perform tasks;
- Ability to work cooperatively with local entities and people with disabilities;
- Familiarity with any local disability advocacy groups or other disability groups;
- Skills and training in negotiation and mediation; and
- Organizational and analytical skills.

#### Roles and Responsibilities of the ADA/504 Coordinator: Self-Evaluation Findings

No information regarding the roles and responsibilities of the ADA/504 Coordinator is provided on the City's website or in City documents.

#### Roles and Responsibilities of the ADA/504 Coordinator: Possible Solutions

The City should document the roles and responsibilities of the ADA/504 Coordinator. These roles and responsibilities should be consistent with the Department of Justice's guidance for "An Effective ADA Coordinator". This guidance can be found here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>. This guidance was developed as a part of this project. See **Appendix C** for a copy.

### 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeal Process for the Americans with Disabilities Act

#### ***Title I***

Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees based on an entity-wide employee total count, including state and local governments.

The purpose of the ADA grievance procedure is to provide a mechanism for the resolution of discrimination issues at the city level, rather than require the complainant to resort to resolution at the federal level.

#### ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title I): Self-Evaluation Findings

- A general grievance policy and procedure was found in the City of Cookeville Personnel Policies and Procedures Manual. However, the City does not have an ADA-specific grievance policy, procedure, and form with appeals process for Title I.
- No ADA grievance form was found.
- No ADA complaint log was provided by the City.

#### ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title I): Possible Solutions

- An ADA grievance policy, procedure, and form with appeals process for Title I was developed as a part of this project. These documents should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the policy, procedure, and form.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and specifics regarding the resolution.



## ***Title II***

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances in a prompt and fair manner that may arise under Title II of the ADA.

### ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title II): Self-Evaluation Findings

- A grievance procedure was found but is not specifically titled for ADA Title I or Title II grievance policy and procedure and includes information for reasonable accommodation, reasonable modifications, and barrier removal all in one procedure. In addition, the procedure mentions the title “ADA Coordinator” instead of “ADA/504 Coordinator” and does not provide specific contact information.

The timeframes provided in the existing procedure does not reflect what the U.S. Department of Justice recommends. The procedure appears to be similar to an internal standard operating procedure instead of a grievance policy and procedure available to the public.

- A grievance form was found but does not state whether it is for Title I or Title II and does not have a non-discrimination statement. The information that is being requested on this form appears to be adequate and in line with the U.S. Department of Justice. However, it does not list specific contact information for the ADA Coordinator other than an email address for [gfwler@cookeville-tn.org](mailto:gfwler@cookeville-tn.org).
- No ADA complaint log was provided by the City.

### ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act (Title II): Possible Solutions

- A stand-alone ADA grievance policy and procedure for Title II should be developed and titled as such. This policy and procedure should be a separate policy and procedure from a reasonable accommodation and modification policy and procedure. In addition, the policy and procedure should be revised to show specific contact information for the ADA Coordinator and the title of the “ADA Coordinator” should be revised to show as “ADA/504 Coordinator”. Furthermore, the timeframes provided in the existing procedure should reflect what the U.S. Department of Justice recommends.
- The existing grievance form should be revised to include a specific title for Title II, include a City-wide non-discrimination statement, revisions to show specific contact information for the ADA Coordinator and the title of the “ADA Coordinator” should be revised to show as “ADA/504 Coordinator”. An ADA grievance form for Title I was developed as a part of this project.
- An ADA grievance policy, procedure, and form with appeals process for Title II was developed as a part of this project. These documents should be adopted City-wide, posted on the City’s website, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the policy, procedure and form.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and details regarding the resolution.

### 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form

#### ***Title I***

The reasonable accommodation request process plays a very important role when ensuring that the City of Cookeville does not discriminate based on a disability. A reasonable accommodation is any modification to a job, the work environment, or the way things are usually done that allows an individual with a disability to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.

#### Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Self-Evaluation Findings

- A procedure was found that includes information for reasonable accommodation, reasonable modifications, and barrier removal. However, it is not titled as a reasonable accommodation or modification request policy and procedure. This procedure does specify ADA auxiliary aides & services or barrier removal. The information in this document is not specific enough for timeframes and does not provide enough information regarding the process for a reasonable accommodation or modification request.
- A request for accommodation or barrier removal form was found but does not have a non-discrimination statement and does not provide enough detail for the requestor to ensure that the interactive process is used and compliance is achieved. In addition, the form does not list specific contact information for the ADA Coordinator other than an email address for [gfwler@cookeville-tn.org](mailto:gfwler@cookeville-tn.org).

#### Reasonable Accommodation Request Policy, Procedure, and Request Form (Title I): Possible Solutions

- The City should develop a reasonable accommodation request policy, procedure, and form as a stand-alone process. This policy and procedure should describe reasonable accommodation, provide details on how to file a request and participate in the interactive process. The request form should include the requestor's contact information, type of accommodation being requested, and specific details regarding the need for a reasonable accommodation. The Equal Employment Opportunity Commission provides enforcement guidance for reasonable accommodation and undue hardship under the ADA here: <https://www.eeoc.gov/policy/docs/accommodation.html>.

## ***Title II***

The reasonable modification request process allows an individual from the public to request a modification that will provide equal access to any City program, service, and/or activity. A public entity must reasonably modify its policies, practices, or procedures to avoid discrimination unless the modification will fundamentally alter the nature of its program, services, or activity.

### Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Self-Evaluation Findings

- Information for reasonable accommodation, reasonable modifications, and barrier removal was found all in one grievance procedure. In addition, the procedure mentions the title "ADA Coordinator" instead of "ADA/504 Coordinator" and does not provide specific contact information.

The timeframes provided in the existing procedure does not reflect what the U.S. Department of Justice recommends. The procedure appears to be similar to an internal standard operating procedure instead of a grievance policy and procedure available to the public.

- A request for accommodation or barrier removal form was found but does not have a non-discrimination statement and does not provide enough detail for the requestor to ensure that the interactive process is used and compliance is achieved. In addition, the form does not list specific contact information for the ADA Coordinator other than an email address for [gfwler@cookeville-tn.org](mailto:gfwler@cookeville-tn.org).
- No ADA complaint log was provided by the City.

### Reasonable Modification Request Policy, Procedure, and Request Form (Title II): Possible Solutions

- The City should develop a reasonable modification request policy, procedure, and form as a stand-alone process. This policy and procedure should describe reasonable modifications, provide details on how to file a request and participate in the interactive process. The request form should include the requestor's contact information, type of modification being requested, specific details regarding the specific City program, services, or activity needing a reasonable modification. The U.S. Department of Justice provides guidance for reasonable modifications here: <https://www.ada.gov/taman2.html>.

## **3.1.7 Service Animal Guidance**

A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodations also include any modification or adjustment to a provided program, service, or activity that the entity provides to ensure accessibility for the public. Reasonable accommodations may also include the use of a service animal. Service animals are used for a variety of reasons, so each accommodation request and modification may be different.

### Service Animal Guidance: Self-Evaluation Findings

No information was found regarding service animal guidance for requests for reasonable accommodations or modifications from qualified applicants, employees, or the public.

### Service Animal Guidance: Possible Solutions

The City should develop City-wide guidance for staff to reference when dealing with service animals as reasonable accommodations or modifications for applicants, employees, and the public. Each City Department should integrate this guidance into their Department-specific standard operating procedures. In doing so, this policy and procedure should be customized to fit each Department's situations and provide guidance as to when a service animal is an effective reasonable accommodation or modification.

- The U.S. Equal Employment Opportunity Commission created enforcement guidance for Reasonable Accommodations and undue hardship under the ADA (<https://www.eeoc.gov/policy/docs/accommodation.html>).
- The U.S. Department of Justice created a publication providing guidance on service animals and the ADA: U.S. Department of Justice Service Animal Guidance ([https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm)).

### 3.1.8 ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act

Section 508 of the Rehabilitation Act of 1973 requires that all electronic and information technologies developed and used by any federal government agency must be accessible to individuals with disabilities. This includes websites, video and audio tapes, electronic books, televised programs, and other such media. Individuals with disabilities may still have to use special hardware and software to access the resources. This law pertains to the federal government. However, the State of Tennessee has adopted these technology requirements; therefore, the City of Cookeville should comply.

### ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Self-Evaluation Findings

No information was found regarding the City's Section 508 of the Rehabilitation Act policy, procedure, and form with appeals process.

### ADA Grievance Policy, Procedure, and Form with Appeals Process for Section 508 of the Rehabilitation Act: Possible Solutions

- The City should develop an ADA grievance policy, procedure, and form with appeals process for Section 508 of the Rehabilitation Act. The form should include the complainant's contact information, description of the electronic and information technology in question, and specific details regarding the non-conforming aspects and remedy that is being requested. Details regarding the Tennessee Electronic and Information Technology Accessibility law (EITA), along with accessibility tools, training, and related resources can be found here: <https://www.tn.gov/web-policies/accessibility.html>
- The policy, procedure, and form with appeals process should be adopted City-wide, posted on the City's website, and publicized in common areas that are accessible to all employees and to the public.
- The City should maintain an ADA complaint log. This log shall be confidential and should include an internal complaint number, details about the complaint, and details regarding the resolution.

### 3.1.9 Retaliation or Coercion Policy

Individuals who exercise their rights under the ADA, or assist others in exercising their rights, are protected from retaliation. The prohibition against retaliation or coercion applies broadly to any individual or entity that seeks to prevent an individual from exercising their rights or to retaliate against individuals for having exercised their rights.

#### Retaliation or Coercion Policy: Self-Evaluation Findings

- Section 25.03, page 47 of the Personnel Policies and Procedures Manual states, "Retaliation toward any employee exercising his/her right and duty to address perceived harassment will not be tolerated." However, this language does not include information regarding coercion. In addition, this section is a part of Section 25, Workplace Harassment, instead of being a stand-alone policy section.
- Information on the City's website contained within the Grievance Procedure, #2 Formal Complaint Process, states the following: "It is unlawful for the City of Cookeville to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance."

#### Retaliation or Coercion Policy: Possible Solutions

The City should draft a policy section with revised language from the sections as listed above. This language should include information about retaliation and coercion. This policy should be adopted City-wide and must be accessible to all employees and the public. The U.S. Equal Employment Opportunity Commission guidance on retaliation and related issues can be found here: <https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm>.

### 3.1.10 Non-Discrimination Language

All public entities must ensure that no qualified individuals with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

To do so, public entities must develop two (2) separate policies:

1. Non-Discrimination Statement Policy, which documents the requirement to include a non-discrimination statement in any City publication or document distributed to employees or to the public.
2. Non-Discrimination Clause Policy, which documents the requirement to include a non-discrimination statement in all funding agreements that the City employs to pass federal funds to other agencies, entities, or municipalities but not contractors.

#### ***Non-Discrimination Statement Policy***

#### Non-Discrimination Statement Policy: Self-Evaluation Findings

Several different variations of non-discrimination statements were found. However, none of the statements that were found are consistent or used City-wide.

#### Non-Discrimination Statement Policy: Possible Solutions

- The City should develop consistent City-wide non-discrimination statements for Title I - employment activities and Title II - programs, services, and activities administered by the City. These statements should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)
- The City should incorporate both non-discrimination statements into a stand-alone policy that provides guidance to City staff on the application of non-discrimination statements for Title I and Title II. This policy should be accessible to all employees and used in City materials that are distributed by the City.
- A basic non-discrimination statement policy was developed as part of this project. The policy contains a non-discrimination statement for Title I and Title II. However, this policy does need the City of Cookeville to customize the policy by including language to assist staff in apply these statements effectively. See **Appendix C** for a copy of the Title II form as an example.

#### ***Non-Discrimination Contract Clause***

##### Non-Discrimination Contract Clause: Self-Evaluation Findings

No information regarding a non-discrimination contract clause was found on the City's website or in City-provided documents.

##### Non-Discrimination Contract Clause: Possible Solutions

- The City should develop a consistent non-discrimination contract clause. This clause should include language within applicable City contracts that would ensure that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in all City programs, services, or activities. While this clause is not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106)
- The City should develop staff guidance regarding the application of a non-discrimination contract clause. This policy would only be accessible to applicable City staff who may initiate federally funded contracts or any joint use agreements with other entities.

### 3.1.11 Public Notice Under the ADA

The ADA public notice requirement applies to all state and local governments covered by Title II, including entities with fewer than 50 employees. The target audience for the public notice includes applicants, beneficiaries, and other people interested in the entity's programs, services, and activities. This notice is required to include information regarding Title II of the ADA and how it applies to the programs, services, and activities of the public entity. Publishing and publicizing the ADA notice is not a one-time requirement. State and local government entities should provide the information on an ongoing basis, whenever necessary.

#### Public Notice Under the ADA: Self-Evaluation Findings

A "Notice of ADA Requirements" document was found. It is assumed that this document is intended to be the required Public Notice Under the Americans with Disabilities Act. This document is not what the U.S. Department of Justice (DOJ) recommends and appears to be more of a non-discrimination statement.

#### Public Notice Under the ADA: Possible Solutions

A Public Notice Under the ADA was developed as part of this project. This notice should be adopted by the City, posted on the web, and publicized in common areas that are accessible to all employees and areas open to the public. See **Appendix C** for a copy of the Public Notice Under the ADA.

### 3.1.12 Title II/504 ADA Assurances

Every applicant for federal financial assistance shall provide a written assurance stating that all programs, services, and activities are being conducted or operated in compliance with all laws and regulations. As a recipient of federal funds, the City must include a written Title II ADA/504 Assurance in all funding agreements and joint use agreements to receive federal financial assistance. In turn, the City must require that any sub-recipient who receives federal financial assistance from the City provide an annual written Title II ADA/504 Assurance. This includes funding agreements and all joint use agreements with other agencies, entities, or municipalities.

#### Title II/504 ADA Assurances: Self-Evaluation Findings

No information regarding Title II/504 ADA Assurances was found on the City's website or in City-provided documents.

#### Title II/504 ADA Assurances: Possible Solutions

The City should develop a Title II/504 ADA Assurance in accordance with the Code of Federal Regulations (49 CFR 27.9). The Code of Federal Regulations can be found here: ([https://www.ecfr.gov/cgi-bin/text-idx?SID=b9b8a3d54d526545fd69ad3de5742ec9&mc=true&tpl=/ecfrbrowse/Title49/49cfr27\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?SID=b9b8a3d54d526545fd69ad3de5742ec9&mc=true&tpl=/ecfrbrowse/Title49/49cfr27_main_02.tpl)).



### 3.1.13 Alternate Format Policy, Procedure, and Request Form

Under the ADA, a public entity is responsible for providing ADA accessible communications. This includes any documents or information that is distributed by the City of Cookeville. If a request for an alternate format is received, the City must have an action plan to accommodate the request. For example, the Department of Justice does not expect entities to have Braille copies of all documents; however, Braille copies are expected to be readily available. Readily available means that once a request is received, a policy and procedure is in place to make a reasonable accommodation or modification to the document or information requested. This document must be provided to the requestor in a reasonable amount of time.

#### Alternate Format Policy, Procedure, and Request Form: Self-Evaluation Findings

No information regarding an alternate format request policy, procedure, and form was found on the City's website or in City-provided documents.

#### Alternate Format Policy, Procedure, and Request Form: Possible Solutions

The City should develop an alternate format request policy, procedure, and form. This policy and procedure shall guide staff regarding the process of obtaining an alternate format and utilizing the City's vendor database to obtain vendor information for alternate formats, if applicable. This policy and procedure should be adopted City-wide and should be accessible to all employees and the public. The request form should include the requestor's contact information, existing document information, and type of alternate format being requested.

### 3.1.14 Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos

Under the ADA, a public entity is responsible for providing ADA accessible alternate formats, including any documents or information that is distributed by the City of Cookeville obtained from another entity. For example, if there is a link to an external site on the City's website that leads to additional information. However, it may not be feasible for the City to obtain the original from the source for the purpose of creating an alternate format. Therefore, the City should add a disclaimer where external sources are referenced stating that the City of Cookeville is not responsible for ADA compliance of external content and any requests for alternate formats of external content should be directed to the source entity.

#### Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Self-Evaluation Findings

No information or policy regarding an ADA-specific disclaimer was found on the City's website or in City-provided documents.

#### Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos: Possible Solutions

The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, and videos that are represented on the City's website. This statement should be posted on the website and publicized in common areas that are accessible to all employees and areas open to the public.

### 3.1.15 Policies and Procedures for ADA Transition Plan Updates and Corrections (Title I)

Tracking ADA Transition Plan updates and corrections for Title I is important in showing progress toward barrier removal and should be done so using a systematic approach to ensure all updates and corrections are documented.

#### Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I): Self-Evaluation Findings

No policies and procedures for ADA transition plan updates and corrections for Title I were found on the City's website or in City-provided documents.

#### Policies and Procedure for ADA Transition Plan Updates and Corrections (Title I): Possible Solutions

The City should develop customized policies and procedures for ADA transition plan updates and corrections for Title I. While this is not a specific ADA requirement, these policies and procedures would provide City staff guidance through the internal process for updating and correcting issues found during the ADA transition plan process.

### 3.1.16 ADA Liaison Committee

The ADA Liaison Committee is comprised of representatives from each department. These individuals work closely with ADA/504 Coordinator to resolve issues regarding the needs of their department and the programs under their management. The ADA/504 Coordinator works closely with the ADA Liaison Committee to coordinate the implementation of plans, programs, policies, and procedures.

#### ADA Liaison Committee: Self-Evaluation Findings

The City of Cookeville has established an ADA Liaison Committee and is comprised of a representative from each City department. These representatives are tasked with serving as the ADA contact for their department and will consult with the ADA/504 Coordinator regarding all ADA issues impacting their department. Each representative is responsible for keeping a detailed log for all ADA inquiries within their department. This log shall be shared with ADA/504 Coordinator and shall be retained for at least three (3) years.

#### ADA Liaison Committee: Possible Solutions

The ADA Liaison Committee information should be publicized in common areas that are accessible to employees and areas open to the public. This includes posting this information on the City website.

### 3.1.17 Employment Practices Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity, including employment. Public entities must provide an equal opportunity for employment.

The City Personnel Policy and Procedures Manual, Police Department General Orders, employment forms, and documents were reviewed and additional information was obtained from the survey and interview process. This information was reviewed for consistency with current accessibility requirements and standards.

#### Personnel Policies and Procedures Manual Review: Self-Evaluation Findings

- Section 1.04, page 22 provides a type of non-discrimination statement. However, this statement is not what is recommended and is not used City-wide.
- Section 3.01, page 23 provides a statement regarding equal opportunity employment. However, this is not considered an adequate non-discrimination statement.
- Section 2.03, page 28 provides information regarding job vacancy announcements. However, this section does not list out essential and non-essential job functions and does not provide a non-discrimination statement.
- Section 6.01.07, pages 29-30 states the human resources director may reject an application or applicant when it has been determined that the applicant is afflicted with a mental or physical disqualifying disease or defect that would prevent satisfactory performance of his/her duties. All job announcement should be written so that every individual can disqualify themselves with or without a reasonable accommodation.
- Section 6.01.08, page 30 states the human resources director may reject an application or applicant when it has been determined that the applicant is addicted to the habitual use of drugs or intoxicants. This language is considered to be discriminatory and should be revised.
- Section 11.02, page 36 states that any director or the city manager shall have the discretionary authority to require an employee to undergo a physical or mental examination to determine whether or not the affected employee is physically and/or mentally able to perform his required duties. This language is considered discriminatory and should be revised.
- Section 7.01, page 39 addresses dress and appearance. This section states that Department directors shall set a reasonable dress code appropriate for the job to be performed. However, no specific dress code was found and there is no reference to a City-wide reasonable accommodation policy and procedure.
- Section 25.01, pages 46-47 includes information regarding Workplace Harassment. This section includes disability language but does not reference an ADA specific grievance policy and procedure.
- Section 25.03, page 47 states retaliation toward any employee exercising his/her right and duty to address perceived harassment will not be tolerated. This section does not include language regarding coercion.
- Section 6.05, pages 49-50 states that each position shall have a written job description consisting of the following: Date approved, Position Title, Responsible to; Exempt status, Examples of work; Position authority, Required knowledge, skills and abilities; Minimum qualifications; Pay grade; Essential functions; and Safety sensitive position. This section does not include language for non-essential job functions.
- Section 12, page 63 provides information regarding a uniform policy for all employees who are required to wear City-owned uniforms. However, it does not mention the City-wide reasonable accommodation policy and procedure.

#### Personnel Policies and Procedures Manual Review: Self-Evaluation Findings (cont.)

- Section 8, page 69 states that the City shall attempt to make reasonable accommodations for modified or light duty in the event of a job-related injury, illness or any other medical condition. It further states that a reasonable accommodation may include a job adjustment or a temporary transfer of the employee to another job within the Department or to another Department. However, it does not reference the City-wide reasonable accommodation policy and procedure.
- Chapter 11, page 79 provides information regarding grievances. However, this section does not mention an ADA specific grievance policy and procedure for Title I.
- Chapter 12, page 80 covers the appeals process. However, this is a general appeal process and is not specific to an ADA grievance policy and procedure.
- Section 9, page 84 states that when a disability impairs the effectiveness of an employee to perform the essential functions of their job, thus making continued employment potentially dangerous to the employee and/or others by creating an adverse impact on the work program(s) of the department, a medical examination or re-examination of the employee may be requested by the department director or the city manager. This section does not mention information on reasonable accommodations.

#### Personnel Policies and Procedures Manual Review: Possible Solutions

- Section 1.04, page 22 should be revised to include the developed City-wide non-discrimination statement policy. See **Section 3.1.10 Non-Discrimination Policy**.
- Section 3.01, page 23 should be revised to include the developed City-wide non-discrimination statement policy. See **Section 3.1.10 Non-Discrimination Policy**.
- Section 2.03, page 28 should be revised to include information regarding essential and non-essential job functions, as well as information on adding the City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Policy**.
- Section 6.01.07, pages 29-30 should be revised to exclude the following discriminatory language:

*"the human resources director may reject an application or applicant when it has been determined that the applicant is afflicted with a mental or physical disqualifying disease or defect that would prevent satisfactory performance of his/her duties."*

It is not the place of the Human Resources Director to reject an application or applicant base on their thoughts of the individual's ability to perform the job. Employers may not ask questions about an individual's disability or require medical examinations until after a conditional job offer is made. However, after making a conditional job offer, an employer can conduct employment testing as long as testing is required for all individuals entering the same job category. All job announcements should be written to allow an individual to disqualify themselves based their ability to perform the essential job functions of a job with or without a reasonable accommodation.

- Section 6.01.08, page 30 should be revised to exclude discriminatory language. This should be re-worded to reference the City's drug testing policy and procedure. The ADA covers a job applicant or employee who is no longer engaging in substance abuse but may have a former addiction. This is viewed as a limiting impairment.

Personnel Policies and Procedures Manual Review: Possible Solutions (cont.)

- Section 11.02, page 36 should be revised to include language such as "to undergo a physical or mental examination to determine whether or not the affected employee is physically and/or mentally able to perform *his/her essential job functions with or without a reasonable accommodation*" and reference the City's reasonable accommodation policy and procedure.
- Section 7.01, page 39 should be revised to include the actual City-wide dress code policy. In addition, this policy should reference the developed City-wide reasonable accommodation policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- Section 25.01, pages 46-47 includes information regarding Workplace Harassment. This section includes disability language but does not reference an ADA specific grievance policy and procedure. The City Personnel Policies and Procedures Manual should be revised to include the ADA grievance policy and procedure for Title I that was developed from this transition plan process. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act.**
- Section 25.03, page 47 should be revised to include information regarding coercion. See **Section 3.1.9 Retaliation or Coercion Policy.**
- Section 6.05, pages 49-50 shall be revised in accordance with the job description review that was performed as a part of this transition plan process to ensure all job descriptions are ADA compliant. See **Section 3.1.18 Job Description Review.**
- Section 12, page 63 should be revised to reference the developed City-wide reasonable accommodation policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- Section 8, page 69 should be revised to reference the developed City-wide reasonable accommodation policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**
- Chapter 11, page 79 should be revised to reference the ADA grievance policy and procedure for Title I that was developed from this transition plan process. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act.**
- Chapter 12, page 80 should be revised to reference the appeals process from the ADA grievance policy and procedure for Title I that was developed from this transition plan process. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process for the Americans with Disabilities Act.**
- Section 9, page 84 should be revised to include information such as "to undergo a physical or mental examination to determine whether or not the affected employee is physically and/or mentally able to perform *his/her essential job functions with or without a reasonable accommodation*" and reference the City's reasonable accommodation policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form.**

#### Hiring, Testing, and Recruitment Information Review: Self-Evaluation Findings

- The Human Resources Department does provide alternate formats of applications for employment by applying online or filling out an application on paper. However, the Department does not have an alternate format policy and procedure.
- The City of Cookeville does not have a consistent City-wide non-discrimination statement.
- The Human Resources Department administers the hiring process for all Departments. However, some Departments, such as the Police Department, administers testing for their Department.
- The Department provides job postings on the City's website, in local newspapers and on bulletin boards within City facilities. However, the Department does not have guidelines related to job recruitment.

#### Hiring, Testing, and Recruitment Information Review: Possible Solutions

- An Alternate Format Policy, Procedure, and Request Form should be adopted in accordance with this transition plan process. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The Human Resources Department's webpage should be revised to include information on how to obtain alternate formats for employment applications, job announcements, and other documents.
- The City should develop a City-wide Non-Discrimination Statement Policy for Title I and Title II. See **Section 3.1.10 Non-Discrimination Language**.
- The Human Resources Department should develop hiring and testing guidelines. These guidelines should include information on ADA compliant hiring and testing within the hiring process. These guidelines should be available to all departments who administer testing for their department. While these guidelines are not an ADA requirement, these guidelines would assist City staff in being consistent in the testing process to achieve ADA compliance. The U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice provide guidance here:
  - <https://www.eeoc.gov/>
  - <https://www.ada.gov/>
- The Human Resources Department should develop guidance to ensure all provided recruitment opportunities are being offered in an ADA compliant manner. These guidelines should include information such as providing accessible alternate formats of job postings, ensuring the City's website is ADA accessible, etc. These guidelines are not an ADA requirement but would assist City staff in the effort in providing ADA compliant recruitment opportunities. The U.S. Equal Employment Opportunity Commission provides guidance here:
  - <https://www.eeoc.gov/>

#### New Employee Orientation Review: Self-Evaluation Findings

- The Human Resources Department provides new employee orientation. This orientation provides guidance on OSHA, Personnel, Benefits, and department operations. However, no specific City ADA policies and procedures or the ADA/504 Coordinator's name or contact information is provided.
- The City's ADA/504 Coordinator for Title I and Title II is not a part of the new employee orientation process. However, new employees are encouraged to contact them.



#### New Employee Orientation Review: Possible Solutions

- The Human Resources Department should develop new employee orientation guidelines. These guidelines should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, training for ADA elements within the public rights-of-way, as well as information on typical employment functions and benefits. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance.
- The Human Resources Department should provide new employees with the newly revised Personnel Policies and Procedures Manual that includes adopted ADA policies and procedures from this transition plan process.

#### Training Program Review: Self-Evaluation Findings

- No specific annual ADA training program is provided for City staff regarding Title I or Title II.

#### Training Program Review: Possible Solutions

- The City should provide annual ADA specific training to all City staff, including executive staff, volunteers, new employees, and City Council regarding Title I and Title II. This training should include policies and procedures developed from this transition plan process, employee rights and obligations regarding employment-related training, as well as training for ADA elements within the public rights-of-way. While training is not a specific ADA requirement, as a Title II entity, the City is obligated to provide equal access to programs, services, and activities. Furthermore, this training would provide individuals with the tools needed to ensure ADA compliance.

#### Volunteer Program Review: Self-Evaluation Findings

- Each City Department administers their volunteer program. The Leisure Services Department and the Animal Shelter are the only departments that routinely use volunteers. However, no specific guidance or eligibility requirements for the volunteer program are in place.
- Each City Department is responsible for providing volunteer orientation. A volunteer manual is not provided, and the ADA/504 Coordinator is not involved in the process. However, all volunteers are verbally provided information regarding their rights and obligations under the ADA.
- The volunteer program includes working special events throughout the City. However, the volunteer program does not have specific guidelines for special events to ensure ADA accessibility.

#### Volunteer Program Review: Possible Solutions

- The Human Resources Department should oversee the City's volunteer program and develop guidelines for each Department to use to ensure program consistency for ADA compliance as each Department administers their volunteer program. These guidelines should include a review of a volunteer manual, volunteer's ADA rights and obligations, introduction to the Title I and Title II ADA/504 Coordinator, as well as typical City functions.
- The Human Resources Department should develop a City-wide volunteer manual. Each Department should develop inserts for their Departments to be incorporated into the volunteer manual. These inserts should include all specific physical and mental eligibility requirements to ensure that volunteers can disqualify themselves from the program, if needed, and include ADA compliant volunteer job descriptions. See **Section 3.1.18 Job Description Review**.



### Volunteer Program Review: Possible Solutions (cont.)

- The Human Resources Department should work with the City ADA/504 Coordinator and the Leisure Services and Public Facilities Department to develop ADA specific guidelines for special events. While these guidelines are not a specific ADA requirement, the City is obligated to provide equal access to programs, services, and activities. These guidelines would provide guidance to employees and provide the tools needed to ensure ADA compliance.

### 3.1.18 Job Description Review

The ADA does not require an employer to develop or maintain job descriptions. Nevertheless, employers can certainly benefit from having well-written job descriptions that spell out the “essential functions” for each employment position. When job descriptions are written, they must be non-discriminatory.

A written job description can help employers identify whether an applicant will be able to perform the essential tasks required for a position. During the interview process, employers are not allowed to ask if an individual has a disability that would prevent them from performing certain job tasks. Employers may, however, ask applicants whether they can perform the “essential functions” of a position, such as the ability to meet attendance expectations or to operate a particular machine. If an applicant notifies the employer that he or she is unable to perform an essential job function because of a disability, the employer must then consider whether it is possible to reasonably accommodate the disability.

Twenty-five (25) City job descriptions were reviewed. The following section provides a summary of the findings and possible solutions. A complete summary of the job description reviews is provided in **Appendix D**.

### Job Description Review: Self-Evaluation Findings

- Job descriptions do not have recommended headings for clarification.
- Most job descriptions contained discriminatory language. When describing actual job duties, there are some physical demands. However, specific language must be used so that someone with a disability can disqualify themselves.
- Job descriptions do not have disclaimer language to remind employees and applicants that the description is subject to change.
- Some job descriptions do not provide physical requirements. These requirements are needed to assist individuals in determining their qualifications.
- Some job descriptions state that a driver’s license is required.
- Job descriptions do not include a non-discrimination statement regarding Title I, employment activities. This statement should include language that provides contact information for the ADA/504 Coordinator regarding an accommodation, modification, or alternate formats. While these statements are not a specific ADA requirement, the U.S. Department of Justice (DOJ) requires that all Title II entities adopt and distribute a public notice about the relevant provisions of the ADA to all people who may be interested in its programs, services, and activities. It is recommended to put a non-discrimination statement in all information distributed by the City to comply with 28 CFR 35.106: [https://www.ada.gov/regs2010/titleII\\_2010/titleII\\_2010\\_regulations.htm#a35106](https://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35106).

#### Job Description Review: Possible Solutions

- Job descriptions should separate information under specific headings for better clarification. Under these headings, the City may use as many sub-headings as necessary to cover all aspects of the job description. These recommended headings are Job Title, Job Summary, Essential Functions, Non-Essential Functions, and Job Specifications.
- When listing physical demands in a job description, the wording must be such that someone with a disability can disqualify themselves. ADA compliant equivalent language must be used. For example: Instead of “carry” or “lift,” use “move,” “transport,” “position,” “install,” “remove,” “hoist,” or “transfer.” See **Appendix D** for Equivalent Language Guidance.
- The City should include disclaimer language on all job descriptions to remind employees and applicants that the description is subject to change.
- All job descriptions should provide physical requirements to ensure clarity.
- When a driver's license is a requirement, the City must ensure this is a bona fide occupational qualification (BFOQ). If this is not necessary as a part of the essential job functions, this should be revised to require a state-issued identification instead of a state-issued driver's license.

#### 3.1.19 Emergency Management Plan Review

Emergency planning and management has become increasingly important today. All community emergency plans and emergency management teams must include the necessary information on how to properly assist citizens in the community who may have a disability. Identifying the citizens with disabilities is paramount to the planning process and rescue operations. The City of Cookeville should have an Emergency Management Plan in place that includes details on how to help citizens with disabilities in the event of a local emergency. In addition, the City should develop an Emergency Evacuation Plan that includes details on how to properly help employees and visitors with disabilities in the event of a workplace emergency.

Disabilities manifest themselves in varying degrees and the functional implications of the variations are important for emergency evacuation. A person may have multiple disabilities, while another may have a disability whose symptoms fluctuate. Everyone needs to have a plan to be able to evacuate a building, regardless of his or her physical condition.

While planning for every situation that may occur in every type of an emergency is impossible, being as prepared as possible is important. One way to accomplish this is to consider the input of various people and entities, from executive management, human resources, and employees with disabilities to first responders and other businesses, occupants, and others nearby. Involving such people in the development of the City's Emergency Management Plan will help everyone understand the evacuation plans and the challenges that businesses, building owners and managers, and people with disabilities face.

The following programs, services or documents were reviewed:

- Local Hazard Mitigation Plan (2016 Update)
- City Hall Evacuation Instructions and Egress Map
- Electricity Department Evacuation Plan
- Police Department General Orders

#### Emergency Management Plan Review: Self-Evaluation Findings

- Upon review of City provided documents, it appears that the City of Cookeville does not have an emergency management plan for the public.
- Upon review of City provided documents, emergency evacuation plans exist. However, these plans do not address evacuation for individuals with disabilities.

#### Emergency Management Plan Review: Possible Solutions

- The City should develop an emergency management plan checklist to use as a preliminary assessment of emergency management of City programs, policies, procedures and shelter facilities. The U.S. Department of Justice and FEMA provides guidance here:
  - <https://www.ada.gov/emergencyprepguide.htm>
  - <https://www.ada.gov/pcatoolkit/chap7emergencymgmtadd1.htm>
  - [https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language\\_Guidelines-Inclusive\\_Emergency\\_Preparedness.pdf](https://www.fema.gov/media-library-data/1437608810237-65bce1c81c720e99c260ea740e98901d/Language_Guidelines-Inclusive_Emergency_Preparedness.pdf).
- The City should develop a support network with the local disability organizations, and include them in the emergency planning process.
- The City should create a volunteer registration process that identifies the location of individuals with disabilities, and the type of disability they have. The registry will help with the planning process for accessible transportation needs.
- The City should ensure they have access to accessible transportation for evacuations or transporting people to a medical clinic. Accessible transportation options can be obtained by working with local or private services, public transportation, or paratransit.
- Evacuation plans should include how to evacuate people with assistive equipment and how to replace equipment if it is lost or destroyed, as well as a plan on how to evacuate people who have service animals.
- Training should be provided to volunteers as well as all department heads who will be involved in the execution of the emergency plan. Training ensures the emergency plan is executed as planned and ensures clear and proper communication to individuals with disabilities. Training should include how to identify people wearing medical alert tags or bracelets, and various ways to communicate with people with visual, hearing, or cognitive impairments.
- The City should prepare alternative ways to help individuals who use medical equipment during a power outage.
- The City should identify the location and availability of more than one facility for dialysis for people who will need dialysis as part of a health maintenance plan or routine or other life-sustaining treatment. In addition, the City should develop a resource list that includes the location of all types of durable medical equipment (DME) available in the City, as well as qualified American Sign Language interpreters, wheelchair repair, therapeutic oxygen, hearing aids and repair, medications, etc. The resource list should be as comprehensive and should be included in the emergency planning manual.

#### Emergency Management Plan Review: Possible Solutions (cont.)

- The City should host an "Emergency Planning Preparedness" class for individuals with disabilities. The class will teach them how to develop a "kit" they can keep for emergencies and allow them to sign up for the emergency registry.
- The City should develop an emergency evacuation plan for employees and visitors. Evacuation plans should consider the impact of internal and external emergencies regarding the City's operations and should be tailored to the workplace environment. The Great Lakes ADA Center provides guidance on Emergency Preparedness and Using Employee Information here: <http://adagreatlakes.org/BusinessToolkit/?section=1&id=6>

#### 3.1.20 City Ordinance Review

Ten (10) applicable City Ordinances were reviewed for consistency with current accessibility requirements and standards.

#### City Ordinance Review: Self-Evaluation Findings

- Title 1: General Administration
  - Chapter 1 City Council:  
This chapter does not provide information on the posting of City Council agendas and minutes.
  - Chapter 2 Administrative Organization:  
The ADA/504 Coordinator for Title I or Title II is not mentioned.
  - Chapter 3 Access and Inspection of Public Records:  
No information regarding the City's alternate format policy and procedure is mentioned.
  - Chapter 4 Code of Ethics:  
No ADA information is needed or recommended.
- Title 2: Boards and Commissions, etc.
  - This chapter is blank and reserved for future use. No information regarding the Boards and Commissions is included.
- Title 3: Municipal Court
  - Chapter 1 City Court:  
No mention of the Court's ADA policies and procedures including an alternate formats policy and procedure.
- Title 4: Municipal Personnel
  - Chapter 1 Social Security for Officers and Employees:  
No ADA information is needed or recommended.
  - Chapter 2 Vacations, Sick Leave, Holidays, etc.:  
No ADA information is needed or recommended.
  - Chapter 3 Personnel Policies and Procedures:  
No mention of the City's ADA policies and procedures.

City Ordinance Review: Self-Evaluation Findings (cont.)

- Chapter 4 Occupational Safety and Health Program:  
No mention of the City's ADA policies and procedures.
- Title 5: Municipal Finance and Taxes
  - Chapter 1 Purchasing Procedures:  
No mention of the City's ADA policies and procedures.
  - Chapter 2 Real and Personal Property Taxes:  
No mention of the City's ADA policies and procedures.
  - Chapter 3 Privilege Taxes:  
No mention of the City's ADA policies and procedures.
  - Chapter 4 Wholesale Beer Tax:  
No mention of the City's ADA policies and procedures.
  - Chapter 5 Miscellaneous:  
No mention of the City's ADA policies and procedures.
  - Chapter 6 Credit or Debit Card Payments:  
No mention of the City's ADA policies and procedures.
- Title 6: Law Enforcement
  - Chapter 1 Police and Arrest, Section 6-104 Police officers to wear uniforms and be armed:  
No mention of the City's ADA policies and procedures including the City's reasonable accommodation request policy and procedure.
- Title 10: Animal Control
  - Chapter 1 In General:  
No mention of the City's ADA policies and procedures including service animal guidance.
  - Chapter 2 Dogs and Cats:  
No mention of the City's ADA policies and procedures including service animal guidance.
- Title 12: Building, Utility, etc. Codes
  - Chapter 1 Building Code:  
No mention of the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance.
  - Chapter 2 Plumbing Code:  
No ADA information is needed or recommended.
  - Chapter 3 Electrical Code:  
No ADA information is needed or recommended.
  - Chapter 4 Gas Code:  
No ADA information is needed or recommended.

City Ordinance Review: Self-Evaluation Findings (cont.)

- Chapter 5 Existing Building Code:  
No mention of the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance.
- Chapter 6 Building Maintenance Code:  
No mention of the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance.
- Chapter 7 Mechanical Code:  
No ADA information is needed or recommended.
- Chapter 8 Energy Conservation Code:  
No ADA information is needed or recommended.
- Chapter 9: Accessibility Code:  
No mention of the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance, such as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). However, this chapter does mention the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- Title 13: Property Maintenance Regulations
  - Chapter 1 Miscellaneous:  
No ADA information is needed or recommended.
  - Chapter 2: Nuisances:  
No ADA information is needed or recommended.
- Title 16: Streets and Sidewalks, etc.
  - Chapter 1 Official Street Map:  
No mention of alternate format policy and procedure.
  - Chapter 2 Street Names:  
No ADA information is needed or recommended.
  - Chapter 3: Street Acceptance and Construction Standards:  
Requirements for ADA compliance is not specified in this Chapter.
  - Chapter 4: Closure and Abandonment of Streets or Rights-of-Ways:  
No ADA information is needed or recommended.
  - Chapter 5: Excavations and Cuts:  
This section does not state that in the event that ADA elements are disturbed all ADA elements must be put back in full compliance of the ADA.

#### City Ordinance Review: Self-Evaluation Findings (cont.)

- Chapter 6: Miscellaneous Regulations for Streets and Public Ways, Section 16-609 Abutting occupants to keep sidewalks clean, etc.:  
This section only mentions keeping the sidewalks clean and snow and sleet removal. It does not mention who has the responsibility for other ADA compliance.
- Chapter 7 Public Parks, Grounds and Municipal Areas:  
No mention of City ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance, such as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) or the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

#### City Ordinance Review: Possible Solutions

- Title 1: General Administration
  - Chapter 1 City Council:  
This chapter should be revised to include information regarding the posting of City Council agendas and minutes, and the developed City-wide non-discrimination statement. See **Section 3.1.10 Non-Discrimination Policy**.
  - Chapter 2 Administrative Organization:  
This chapter should be revised to include contact information for the ADA/504 Coordinator. See **Section 3.1.3 ADA/504 Coordinator (Title I / Title II)**.
  - Chapter 3 Access and Inspection of Public Records:  
This chapter should be revised to include information on the City's adopted Alternate Format Policy, Procedure, and Request Form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
  - Chapter 4 Code of Ethics:  
No ADA information is needed or recommended.
- Title 2: Boards and Commissions, etc.
  - This chapter should be revised to include findings from this transition plan process. See **Section 3.2.1 Boards, Commissions, Committees, and Council Review**.
- Title 3: Municipal Court
  - Chapter 1 City Court:  
The Court should develop a Court specific ADA grievance policy, procedure, and form with appeals process for Title II. See **Section 3.1.5 ADA Grievance Policy, Procedure, and Form with Appeals Process**.

For Court reasonable accommodation policy, procedure, and form for Title I, see **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.

The Court should develop a Court specific reasonable modification policy, procedure, and form for Title II. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.



# City Ordinance Review: Possible Solutions (cont.)

- Title 4: Municipal Personnel
  - Chapter 1 Social Security for Officers and Employees:  
No ADA information is needed or recommended.
  - Chapter 2 Vacations, Sick Leave, Holidays, etc.:  
No ADA information is needed or recommended.
  - Chapter 3 Personnel Policies and Procedures:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 4 Occupational Safety and Health Program:  
This chapter should be revised to include the City's ADA policies and procedures.
- Title 5: Municipal Finance and Taxes
  - Chapter 1 Purchasing Procedures:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 2 Real and Personal Property Taxes:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 3 Privilege Taxes:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 4 Wholesale Beer Tax:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 5 Miscellaneous:  
This chapter should be revised to include the City's ADA policies and procedures.
  - Chapter 6 Credit or Debit Card Payments:  
This chapter should be revised to include the City's ADA policies and procedures.
- Title 6: Law Enforcement
  - Chapter 1 Police and Arrest, Section 6-104 Police officers to wear uniforms and be armed:  
This chapter should be revised to include the City's ADA policies and procedures including the reasonable accommodation request policy and procedure. See **Section 3.1.6 Reasonable Accommodation and Modification Request Policy, Procedure, and Request Form**.
- Title 10: Animal Control
  - Chapter 1 In General:  
This chapter should be revised to include the City's ADA policies and procedures including service animal guidance. See Section 3.1.7 Service Animal Guidance.
  - Chapter 2 Dogs and Cats:  
This chapter should be revised to include the City's ADA policies and procedures including service animal guidance. See Section 3.1.7 Service Animal Guidance.

City Ordinance Review: Possible Solutions (cont.)

- Title 12: Building, Utility, etc. Codes
  - Chapter 1 Building Code:  
This chapter should be revised to include information regarding the City's adopted ADA laws and regulations used to achieve ADA compliance.
  - Chapter 2 Plumbing Code: No ADA information is needed or recommended.  
No ADA information is needed or recommended.
  - Chapter 3 Electrical Code:  
No ADA information is needed or recommended.
  - Chapter 4 Gas Code:  
No ADA information is needed or recommended.
  - Chapter 5 Existing Building Code:  
This chapter should be revised to include information regarding the City's adopted ADA laws and regulations used to achieve ADA compliance.
  - Chapter 6 Building Maintenance Code:  
This chapter should be revised to include information regarding the City's adopted ADA laws and regulations used to achieve ADA compliance.
  - Chapter 7 Mechanical Code:  
No ADA information is needed or recommended.
  - Chapter 8 Energy Conservation Code:  
No ADA information is needed or recommended.
  - Chapter 9: Accessibility Code:  
The chapter should be revised to include the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance, such as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).
- Title 13: Property Maintenance Regulations
  - Chapter 1 Miscellaneous:  
No ADA information is needed or recommended.
  - Chapter 2: Nuisances:  
No ADA information is needed or recommended.
- Title 16: Streets and Sidewalks, etc.
  - Chapter 1 Official Street Map:  
This chapter should be revised to including information regarding the City's alternate format policy and procedure that was developed as a part of this transition plan process. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.

#### City Ordinance Review: Possible Solutions (cont.)

- Chapter 2 Street Names:  
No ADA information is needed or recommended.
- Chapter 3: Street Acceptance and Construction Standards:  
The chapter should be revised to include the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance, such as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).
- Chapter 4: Closure and Abandonment of Streets or Rights-of-Ways:  
No ADA information is needed or recommended.
- Chapter 5: Excavations and Cuts:  
This chapter should be revised to include comparable language stating that in the event ADA elements are disturbed all ADA elements must be put back in full compliance of the ADA.
- Chapter 6: Miscellaneous Regulations for Streets and Public Ways, Section 16-609 Abutting occupants to keep sidewalks clean, etc.:  
This chapter should be revised to include more detailed language clarifying the City's ADA obligations regarding compliance.
- Chapter 7 Public Parks, Grounds and Municipal Areas:  
The chapter should be revised to include the City's ADA policies and procedures including adopted ADA laws and regulations used to achieve ADA compliance, such as the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) or the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

#### 3.1.21 Previous ADA Complaints (Title I & II) Review

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity.

A review of previous ADA complaints from the past five (5) years is necessary to ensure that all complaints have been addressed and updated in the Transition Plan.

#### Previous ADA Complaints Review (Title I & II): Self-Evaluation Findings

The City is not aware of any Title I or Title II ADA complaints that have been received in the past five (5) years.

#### Previous ADA Complaints Review (Title I & II): Possible Solutions

- The City should maintain confidential complaint/request files and ADA complaint/request logs. However, logs for both Title I and Title II should include detailed information.
  - Logs for Title I shall be confidential and should include an internal complaint number, extensive details about the complaint and process, as well as details regarding the resolution.

#### Previous ADA Complaints Review (Title I & II): Possible Solutions (cont.)

- Logs for Title II shall be confidential and should include an internal complaint number, extensive details regarding the complaint and process, which would include locations and pictures, and details regarding the complaint resolution.

## 3.2 Programs, Services, and Activities Review

All programs, services, and activities (PSAs) were researched and evaluated for ADA compliance. All PSAs mentioned in **Section 3.1** were integrated into this section (**Section 3.2**). This review was based on what is accessible to the public on the City of Cookeville website, as well as department-specific questions that were submitted to the City.

### 3.2.1 Boards, Commissions, Committees, and Councils Review

The City website provides various information regarding the City's boards, commissions, committees, and councils. These groups are listed below:

- |   |                                  |
|---|----------------------------------|
| • City Council and Administrative Board | • Board of Zoning Appeals        |
| • Animal Control Board                  | • Environmental Appeals Board    |
| • Alcoholic Beverage Control Board      | • Historic Zoning Commission     |
| • Architectural Design Review Board     | • Hospital Board                 |
| • Board of Adjustments and Appeals      | • Highlands Residential Services |
| • Industrial Development Board          | • Planning Commission            |
| • Sewer Regulations Appeals Board       | • Tree Board                     |

#### Boards, Commissions, Committees, and Councils Review: Self-Evaluation Findings

- Most meetings are open to the public and are believed to be held in accessible facilities. However, ADA checklists are not always used to determine compliance.
- All agendas are posted on the City's website. However, they are not available in alternate formats, nor does the City have an alternate format policy and procedure.
- The City does not have a City-wide non-discrimination statement. There is not a statement included on agendas or minutes.
- The disability community does not appear to be included in the member selection process.

#### Boards, Commissions, Committees, and Councils Review: Possible Solutions

- The City should develop and use checklists to ensure ADA compliance for ADA compliant meeting locations. While this is not a specific ADA requirement, this checklist would benefit the City by ensuring that all meeting locations would be accessible to the public.
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a City-wide Non-Discrimination Statement Policy for Title II and include this statement in all meeting agenda and minutes. See **Section 3.1.10 Non-Discrimination Language**.

#### Boards, Commissions, Committees, and Councils Review: Possible Solutions (cont.)

- The City should provide opportunities for the disability community to provide input regarding the member selection process, when applicable. This may include advertising the need for input with local disability organizations. See **Section 2.0 Public Outreach**.

### 3.2.2 Documents, Forms, and Videos Reviewed

The City's website provides various documents, forms, and videos that are available to the public. For a complete listing of documents, forms, and videos reviewed, see **Appendix D**.

#### Documents, Forms, and Videos Reviewed: Self-Evaluation Findings

- The City does not have alternate formats on hand for every document, form, or video.
- The City does not have a policy or procedure in place to address alternate formats. Alternate formats are auxiliary aids, services, or devices that enable effective communication for individuals with disabilities. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos, or podcasts that are represented on the City's website. See **Section 3.1.14 Responsibility / Acceptance Disclaimer for other Entities' Links, Forms, Documents, and Videos**.
- The City should develop a City-wide Non-Discrimination Statement Policy for Title II and include this statement in information that is distributed by the City. See **Section 3.1.10 Non-Discrimination Language**.

#### Documents, Forms, and Videos Reviewed: Possible Solutions

- Each Department liaison should develop a list of all documents and forms for their Department. The list should include the document or form name, location(s) where it can be found (office location, website link), what alternate formats are available, and how the formats can be obtained. This list should be updated continuously as documents and forms are created and revised. The forms should be reviewed for ADA compliance. Section 508 Compliant PDF Checklist is provided here:  
<https://508compliantdocumentconversion.com/compliance-regulations/pdf-compliance-checklist/>
- The City should develop an alternate format policy, procedure, and request form. See **Section 3.1.13 Alternate Format Policy, Procedure, and Request Form**.
- The City should develop a disclaimer statement to communicate the City's perspective on ADA compliance regarding content on another entity's site, links, forms, documents, videos or podcasts that are represented on the City's website. See **Section 3.1.14 Responsibility / Acceptance Disclaimer for Other Entities' Links, Forms, Documents, Videos, and Podcasts**.
- The City should develop guidelines to assist staff in providing closed captioning or transcripts for videos that are available to all employees and the public. These guidelines shall include the process to add closed captioning or use the vendor database to purchase closed captioning or transcription services.
- The City should develop a consistent City-wide non-discrimination statement policy. See **Section 3.1.10 Non-Discrimination Policy**.

### 3.2.3 Cursory Website Review

A cursory review of the City's website was completed. This review consisted of evaluating various links located on the City website. See below for a listing of ten (10) key evaluation points that were reviewed. For a complete summary of the review, see the **Appendix D**.

- Informational images for alternative text
- Decorative images for alternative text
- Video or audio content that does not have captioning
- Forms on website
- Text resizing
- Lynx Browser
- Navigating the website without the use of a mouse
- Site map
- Ensuring link text makes sense out of context
- Automated program
- Audio CAPTCHA Accessibility Criteria

#### Cursory Website Review: Self-Evaluation Findings

- Informational images for alternative text:  
Several images on the City's website did not contain text boxes that provides information on the content of the image.
- Automated program:  
An accessibility evaluation tool that embeds online accessibility feedback into web content. The following was found:
  - 0 Errors (accessibility errors that need to be fixed)
  - 10 Alerts (potential end user issues that should be investigated)
  - 12 Features (identified accessibility features that likely improve accessibility)
  - 26 Structural Elements (identified elements that should be investigated)
  - 97 HTML5 and ARIA (identified elements that should be investigated)
  - 20 Contrast Error (color contrast errors)

#### Cursory Website Review: Possible Solutions

- Information images for alternative text:  
The City's website should be updated to include text boxes when placing a cursor over images on the website. The text boxes should describe the image and the web pages that are being communicated by the image.
- Automated program:  
The automated accessibility evaluation tool provides details regarding online access to web content. This review suggests there are elements that are compliant, as well as elements that need to be brought into compliance. The City should evaluate the entire website for ADA compliance. See below website link for more information regarding an explanation of WAVE and how you can make the City's webpage more accessible:  
(<http://wave.webaim.org/report#/https://www.cookeville-tn.gov/286/Camps>).

### 3.2.4 Non-Discrimination Language for Contracts, Agreements, and Waivers

All public entities must ensure that no qualified individual with disabilities be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program, service, or activity administered by that entity. In doing so, public entities should provide a statement in all agreements and contracts with the City to ensure non-discrimination for both parties and to clarify accessibility obligations.

A complete list of documents reviewed is provided in **Appendix D**.

#### Non-Discrimination Language for Contracts, Agreements, and Waivers: Self-Evaluation Findings

All contracts, agreements, and waivers reviewed did not contain ADA language that would clarify ADA responsibilities and obligations.

#### Non-Discrimination Language for Contracts, Agreements, and Waivers: Possible Solutions

The City should develop guidelines to assist the appropriate staff in writing non-discrimination language to be included in all City contracts and agreements. This non-discrimination language would need to be assessed by legal counsel on a case-by-case basis. These guidelines shall include language that clarifies responsibilities regarding ADA maintenance, alterations, and construction.

### 3.2.5 Effective Communication Efforts and Policy

The ADA requires that all Title II entities communicate effectively with people who have communication disabilities by providing auxiliary aids and services. The goal is to ensure that communication with individuals with disabilities is equally effective as communication with people without disabilities.

Auxiliary aids and services are ways to communication with individuals with disabilities. The type of auxiliary aids and services are assessed on a case-by-case basis. Auxiliary aids and services must be provided free of charge and provided in accessible formats, in a timely manner, and must be provided in a way that ensures individual privacy and independence. Examples of common auxiliary aids and services include, but are not limited to:

- Sign Language Interpreters
- Written materials
- Closed Captioning
- Real-time captioning
- Audio recordings
- Materials and displays in braille
- Large print materials
- Accessible electronic and information technology
- Assistive listening devices and systems

#### Effective Communication Efforts and Policy: Self-Evaluation Findings

The City does not have City-wide specific guidelines or policies and procedures regarding effective communication.



## Effective Communication Efforts and Policy: Possible Solutions

The City should develop guidelines regarding effective communication efforts. These efforts should be effective by providing auxiliary aids and services to individuals who have communication disabilities. These guidelines should be consistent with the U.S. Department of Justice's guidance for "Effective Communication." This guidance can be found here: <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>

### 3.2.6 Design Standard Review

The City of Cookeville Transportation Plan, Standard Construction Details, and Traffic Specifications were reviewed for compliance with the 2010 Standards for Accessible Design, and 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG). The City of Cookeville does not have any unique design criteria or standards and all construction appears to be required to adhere to TDOT standards.

## 3.3 Facilities Review

### 3.3.1 Buildings

Twenty-five (25) buildings within the City of Cookeville were evaluated. All buildings included in the evaluation are listed in **Table 1** and shown on the map in **Appendix E**.

**Table 1. Summary of Buildings Reviewed**

Buildings	
1. Animal Shelter	2. Animal Shelter Barn
3. Animal Shelter House	4. City Cemetery Office
5. City Hall	6. City Mulch Site 2105
7. Depot Museum	8. Depot Trailhead Restroom
9. Electric Department	10. FOP House on Bridgeway
11. Farmer's Market	12. Fire Substation #2
13. Fire Substation #3	14. Fire Substation #4
15. Firing Range	16. Gas Department
17. History Museum	18. Leslie Town Center
19. Police Department	20. Public Works
21. Recreation Center	22. Senior Center
23. Traffic Division Substation	24. Water Department
25. Performing Arts Center	

### Buildings: Self-Evaluation Findings

Areas that were evaluated for each building included parking lots, path of travel from the parking lot to the building, access into the building, signage, drinking fountains, telephones, bathrooms, and counter heights. A complete list of issues is provided in the building facility reports (see **Appendix F**). Common issues identified included:

- Non-compliant grab bars around the toilets
- Missing signage

- Non-compliant doors and doorways

#### Buildings: Possible Solutions

A complete list of possible solutions is provided in the building facility reports (see **Appendix F**).

### 3.3.2 Parks

Ten (10) parks within the City of Cookeville were evaluated. All parks included in the evaluation are listed in Table 2 and shown on the map in **Appendix E**.

**Table 2. Summary of Parks Reviewed**

Parks	
1. Parkview Park	2. Cinderella Park
3. Ensor Sink Natural Area	4. Dogwood Park
5. Walnut Park	6. West End Park
7. Capshaw Natural Area	8. Cane Creek Park
9. Franklin Park	10. City Lake Natural Area

#### Parks: Self-Evaluation Findings

Areas that were evaluated for each park included parking lots, path of travel from the parking lot to the park amenities, access into facilities, signage, drinking fountains and restrooms. A complete list of issues is provided in the park facility reports (see **Appendix F**). Common issues identified included:

- Non-compliant or non-existent accessible parking
- Missing signage
- Accessible routes

#### Parks: Possible Solutions

A complete list of possible solutions is provided in the park facility reports (see **Appendix F**).

### 3.3.3 Paved Trails

Twelve (12) miles of paved trails within the City of Cookeville were evaluated. The paved trail evaluations documented conditions and measurements along the pedestrian path of travel, which includes the trail, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets.

#### Trails: Self-Evaluation Findings

A complete list of issues is provided in the paved trail facility reports (see **Appendix F**). Common issues identified included:

- Steep cross slope
- Heaving
- Ponding

#### Trails: Possible Solutions

A complete list of possible solutions is provided in the unpaved trail facility reports (see **Appendix F**).

### 3.3.4 Signalized Intersections

Seventy-one (71) signalized intersections within the City of Cookeville were evaluated. Signalized intersection evaluations cataloged the conditions and measurements along the pedestrian path of travel, which includes street crossings, curb ramps, sidewalk adjacent to the curb ramps, and pedestrian signal equipment and adjacent clear spaces.

All signalized intersections included in the evaluation are listed on a map included in **Appendix E**.

#### Signalized Intersections: Self-Evaluation Findings

Common curb ramp issues included excessive landing running slopes and cross slopes, no color or texture contrast on ramp slopes, and no presence of a level ramp landing area. **Table 3** provides a summary of the curb ramp issues at signalized intersections.

About fifty-seven (57) percent of valid pedestrian crossings at signalized intersections did not have pedestrian signal heads or pedestrian push buttons. These were typically locations where "No Pedestrian Crossing" signs were present, but the existing sidewalk, curb ramp, or crosswalk orientations created a valid pedestrian crossing. Pedestrian push buttons and signal heads were recommended to be installed at all valid signalized intersection pedestrian crossings where they did not exist. Common issues associated with the existing pedestrian push buttons included non-existent or inaccessible push button clear spaces, excessive push button clear running slopes and cross slopes, push buttons installed at locations inconsistent with the current Manual on Uniform Traffic Control Devices (MUTCD) guidance, and excessive push button heights. **Table 4** provides a summary of the push button issues.

#### Signalized Intersections: Possible Solutions

A complete list of possible solutions can be found in the signalized intersection reports provided in **Appendix F**.

**Table 3. Summary of Curb Ramp Issues at Signalized Intersections**

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curb ramp lands in crosswalk	94	93	98.90%
Curbed sides at 90°	98	95	96.90%
Curb ramp present where curb ramp is needed	325	300	92.30%
Curb ramp does not have traversable sides	98	90	91.80%
Curb ramp width $\geq 48''$	196	170	86.70%
48'' crosswalk extension exists	96	78	81.30%
No obstruction in curb ramp, turning space (landing), or flares	196	157	80.10%
No ponding in curb ramp, turning space (landing), or flares	196	140	71.40%
Curb ramp turning space (landing) exists	196	130	66.30%
Flush transition to roadway exists	196	123	62.80%
Curb ramp turning space (landing) running slope $\leq 2\%$	130	77	59.20%
Curb ramp counter slope $\leq 5\%$	196	116	59.20%
Curb ramp turning space (landing) cross slope $\leq 2\%$	130	72	55.40%
Curb ramp running slope $\leq 8.3\%$	196	106	54.10%
Curb ramp cross slope $\leq 2\%$	196	105	53.60%
Presence of detectable warning surface	196	73	37.20%
Detectable warning surface color contrasts with adjacent curb ramp surface	196	59	30.10%
Flare cross slope $\leq 10\%$	98	23	23.50%

**Table 4. Summary of Push Button Issues**

Push Button Element	Number Evaluated	Number Compliant	Percent Compliant
Push button offset from curb $\leq 10'$	148	138	93.20%
Push button orientation is parallel to crossing direction	148	121	81.80%
Push button height $\leq 48''$	148	117	79.10%
Push button offset from crosswalk $\leq 5'$	127	96	75.60%
Pedestrian head exists where pedestrian head is needed	349	149	42.70%
Clear space running slope $\leq 2\%$	47	20	42.60%
Push button exists where push button is needed	354	148	41.80%
Clear space cross slope $\leq 2\%$	47	18	38.30%
Clear space exists and can be accessed	148	47	31.80%
Push button diameter is 2"	148	23	15.50%

### 3.3.5 Sidewalk Corridors

The sidewalk corridor evaluations documented conditions and measurements along the pedestrian path of travel, which includes the sidewalk, railroad crossings, curb ramps, pedestrian crossings at driveway openings, and pedestrian crossings at unsignalized intersections with cross streets. Approximately one hundred (100) miles of sidewalk were evaluated. The included sidewalk corridors were selected due to their high level of pedestrian activity as well as their proximity to pedestrian traffic generators. A map of the evaluated sidewalk corridors is provided in **Appendix E**.

#### Sidewalk Corridors: Self-Evaluation Findings

Common issues along the sidewalk corridors were excessive sidewalk cross slopes, vertical surface discontinuities that caused excessive level changes, excessive driveway and cross street cross slopes, permanent obstructions in the sidewalk such as power poles or utilities, and temporary obstructions in the sidewalk or path of travel such as weeds and low hanging branches. Where excessive vegetation was present, field crews attempted to assess the condition of the underlying sidewalk. Where possible, the condition of the underlying sidewalk was recorded; however, the City of Cookeville may find additional issues with the sidewalk once the temporary obstruction is removed.

Common curb ramp issues at unsignalized intersections along the sidewalk corridors included curb ramps having excessive landing running slopes and cross slopes, no presence of color contrast or texture contrast, excessive running slopes and cross slopes, and excessive flare cross slopes. A summary of the unsignalized intersection curb ramp issues is provided in **Table 5**. Non-compliant curb ramps, sidewalk, and pedestrian paths of travel along driveways and street crossings at unsignalized interactions were recommended to be removed and replaced.

The ADA of 1990, Section 35.150, Existing Facilities, requires that the Transition Plan include a schedule for providing curb ramps or other sloped area at existing pedestrian walkways, which applies to all facilities constructed

prior to 1992. For any sidewalk installations constructed from 1992 to March 15, 2012, the curb ramps should have been installed as part of the sidewalk construction project per the 1991 Standards for Accessible Design, Section 4.7 Curb Ramp, which states, “curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.” For sidewalk installations constructed on or after March 15, 2012, similar guidance is provided in the 2010 Standards for Accessible Design, Section 35.151 of 28 CFR Part 35, New Construction and Alterations, which states, “newly constructed or altered street level pedestrian walkways must contain curb ramps or other sloped area at any intersection having curb or other sloped area at intersections to streets, roads, or highways.”

### Sidewalk Corridors: Possible Solutions

To meet the federal requirements for curb ramp installations, the following recommendations were made:

- Where sidewalk leads up to the curb at an intersection, both parallel and perpendicular to the project corridor, two (2) directional curb ramps were recommended to be installed where geometry permitted. PROWAG requires two (2) directional curb ramps be installed during modifications unless there are existing physical constraints.
- Where sidewalk parallel to the project corridor leads up to the curb at a driveway, directional curbs ramps were recommended to be installed to serve the driveway crossing.
- Where diagonal curb ramps were installed with the intent to serve a side-street crossing only, receiving curb ramps are still required to be installed on the opposite side of the major street. However, an engineering study should be performed prior to the installation of the receiving curb ramps to determine if the major street crossing is safe to accommodate. If the engineering study determines the major street crossing is unsafe to accommodate, the existing diagonal curb ramps should be removed and replaced with directional curb ramps in addition to the other requirements noted in **Section 3.5 Federal Highway Administration (FHWA) Guidance on Closing Pedestrian Crossings**.

The following engineering judgement or best practices recommendations were made in order to maximize pedestrian safety. It should be noted that these improvements are advised but not required per federal standards.

- For all existing or implied pedestrian street crossings at unsignalized intersections where striping is not present, striping is recommended to be installed. The 2009 MUTCD states that on approaches controlled by STOP or YIELD signs, crosswalk lines should be installed where engineering judgement indicates they are needed to direct pedestrians to the proper crossing path(s). Additionally, in conjunction with signs and other measures, crosswalk markings help to alert road users of a designated pedestrian crossing point across roadways at locations that are not controlled by traffic control signals or STOP or YIELD signs.
- For pedestrian crossings across commercial driveways, detectable warning surfaces are recommended to be installed on curb ramps or sidewalk approaches on either side of the driveway. PROWAG states that detectable warning surfaces should not be provided at crossings of residential driveways since the pedestrian right-of-way continues across residential driveway aprons. However, where commercial driveways are provided with yield or stop control, detectable warning surfaces should be provided at the junction between the pedestrian route and the vehicular route.

A complete list of possible solutions can be found in the sidewalk, unsignalized intersection, and railroad crossing facility reports provided in **Appendix F**.

**Table 5. Summary of Curb Ramp Issues at Unsignalized Intersections**

Curb Ramp Element	Number Evaluated	Number Compliant	Percent Compliant
Curbed sides at 90°	763	749	98.20%
Curb ramp does not have traversable sides	382	372	97.40%
Curb ramp lands in crosswalk	161	145	90.10%
Curb ramp width $\geq 48''$	760	631	83.00%
Curb ramp present where curb ramp is needed	1835	1445	78.70%
No ponding in curb ramp, turning space (landing), or flares	760	563	74.10%
48" crosswalk extension exists	340	250	73.50%
Curb ramp counter slope $\leq 5\%$	760	511	67.20%
No obstruction in curb ramp, turning space (landing), or flares	760	498	65.50%
Curb ramp turning space (landing) exists	760	467	61.40%
Curb ramp turning space (landing) cross slope $\leq 2\%$	467	277	59.30%
Curb ramp running slope $\leq 8.3\%$	760	422	55.50%
Curb ramp turning space (landing) running slope $\leq 2\%$	467	239	51.20%
Curb ramp cross slope $\leq 2\%$	760	350	46.10%
Flush transition to roadway exists	760	327	43.00%
Flare cross slope $\leq 10\%$	381	108	28.30%
Presence of detectable warning surface	760	164	21.60%
Detectable warning surface color contrasts with adjacent curb ramp surface	760	88	11.60%

### 3.3.6 Railroad Crossings with Pedestrian Accommodations

To the best knowledge of City staff, the City of Cookeville is not responsible for the maintenance of pedestrian facilities within the railroad right-of-way.

#### Railroad Crossings with Pedestrian Accommodations: Self-Evaluation Findings

Four (4) at-grade railroad crossings along the evaluated sidewalk corridors were evaluated for compliance with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) to understand how these railroad crossings affect the pedestrian path of travel along sidewalks within Cookeville. Elements evaluated included transitions to and from adjacent sidewalk, flangeway gap width, and detectable warning surfaces. The rail type (freight or non-freight) affects the compliance threshold for flangeway gaps.



Table 6. Summary of Issues at Railroad Crossings

Railroad Crossing Issue	Number Evaluated	Number Compliant	Percent Compliant
Concrete panel present at rail crossing	4	2	50.00%
Flangeway gap $\leq 3$ inches (freight) or flangeway gap $\leq 2.5$ inches (non-freight)	4	2	50.00%
Transition to/from adjacent sidewalk is flush	4	0	0.00%
Detectable warning surface present in advance of track crossing	4	0	0.00%

#### Railroad Crossings with Pedestrian Accommodations: Possible Solutions

Railroad crossing issues and possible solutions are provided in **Appendix F**. **Table 6** provides a summary of the issues identified for the evaluated railroad crossings.

Where there are multiple tracks at a single location, the detectable warning surfaces should only be installed on the sidewalk leading up to the outside edge of each track. PROWAG Figure R305.2.5 Pedestrian At-Grade Rail Crossings shows a minimum of 6 feet between the detectable warning surface and the outer track. Therefore, the minimum distance between rails of two (2) different tracks would need to be at least 18 feet for additional detectable warning surfaces to be installed between tracks. Detectable warning surfaces should be 2 feet in depth in the direction of pedestrian travel and extend the full width of the sidewalk.

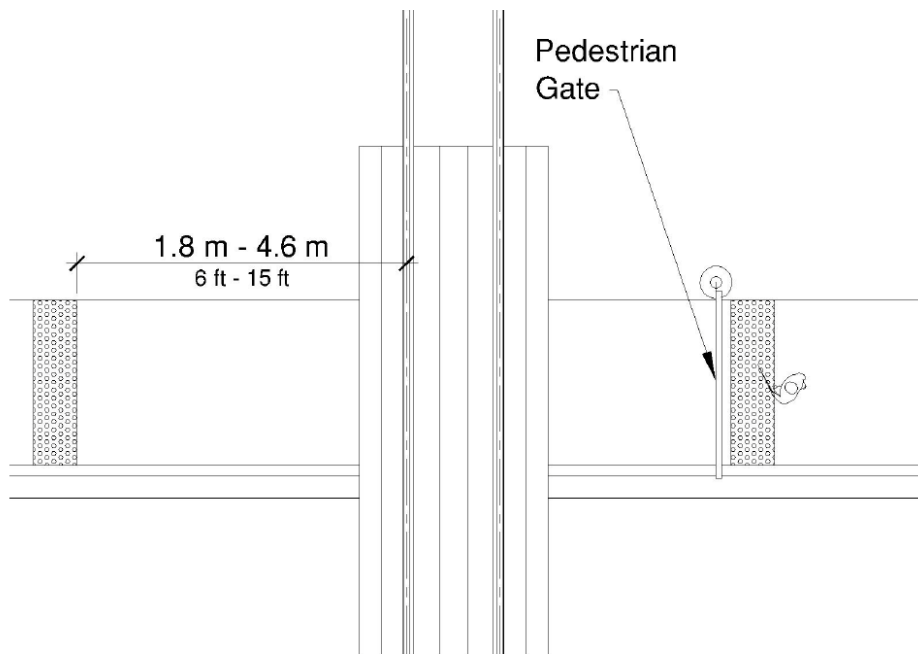


Figure R305.2.5  
Pedestrian At-Grade Rail Crossings

### 3.3.7 Transit Stops

15 transit stops within City of Cookeville were evaluated as part of this project. The transit system is operated by the Upper Cumberland Human Resource Agency's Cookeville Area Transit System (CATS). CATS is responsible for maintaining compliance at their transit stops. Transit stop evaluations documented the conditions and measurements within the boarding areas, adjacent sidewalk network, transit stop sidewalk areas, and transit stop amenities.

The City of Cookeville must have accessible PSAs, including transit services. PSA accessibility means that, when viewed in its entirety, each PSA is readily accessible to and usable by individuals with disabilities. In addition to physical barriers at each transit stop, access to each transit stop – and therefore the transit service – was also documented. Specifically, the presence of sidewalk connecting the transit stop boarding and alighting area to the nearest public rights-of-way sidewalk or nearest cross street.

Transit stop signage was evaluated per PROWAG Section R410 Visual Characters on Signs.

A few notable items affecting the transit stop signage include:

- No Signage

If the City of Cookeville chooses to update the transit stop sign template, all text should meet the guidelines in PROWAG Section R410 Visual Characters on Signs.

#### Transit Stop: Self-Evaluation Findings

Common transit stop issues included non-compliant transit stop signage, no boarding area, excessive boarding area and space running slopes. A summary of the transit stop issues identified during the self-evaluation is found in **Table 7**.

The following locations do not have access provided to the transit stop boarding and alighting area from the nearest public rights-of-way sidewalk or nearest cross street. However, there is not a one size fits all solution on how to best provide access to the transit service and each location should be reviewed independently by the City of Cookeville.

- 7th Street
- Newman
- CHEC
- Senior Center

**Table 7. Summary of Transit Stop Issues**

Transit Stop Element	Number Evaluated	Number Compliant	Percent Compliant
<b>Boarding Area</b>			
No ponding present in the boarding area	11	11	100.00%
No temporary obstruction (>0.25") in boarding area	11	11	100.00%
Boarding area width $\geq 60"$	11	11	100.00%
No heaving/sinking/cracking present in the boarding area	11	11	100.00%
No permanent obstruction (>0.25") in boarding area	11	10	90.90%
Flush transition at connection to the curb	11	10	90.90%
Connection exists between boarding and alighting area and street or sidewalk network	15	11	73.30%
Boarding area running slope $\leq 2\%$	11	7	63.60%
Boarding area length $\geq 96"$	11	6	54.50%
<b>Transit Stop Amenities</b>			
Clear space present where required	4	4	100.00%
Clear space width $\geq 30"$	4	4	100.00%
Shelter opening clear width $\geq 32"$	3	3	100.00%
Transit stop signage present	15	12	80.00%
Transit stop signage is compliant	15	12	80.00%
Clear space length $\geq 48"$	4	3	75.00%
Clear space cross slope $\leq 2\%$	4	3	75.00%
Clear space running slope $\leq 2\%$	4	3	75.00%

#### Transit Stop: Possible Solutions

A complete list of possible solutions can be found in the transit stop reports provided in **Appendix F**

### 3.4 Maintenance Versus Alterations

The United States Department of Justice (DOJ) has issued a briefing memorandum on clarification of maintenance versus projects. Information contained in the briefing memorandum is below. We recommend this clarification with regard to when curb ramp installation is required as part of a project be distributed to the appropriate City of Cookeville staff.

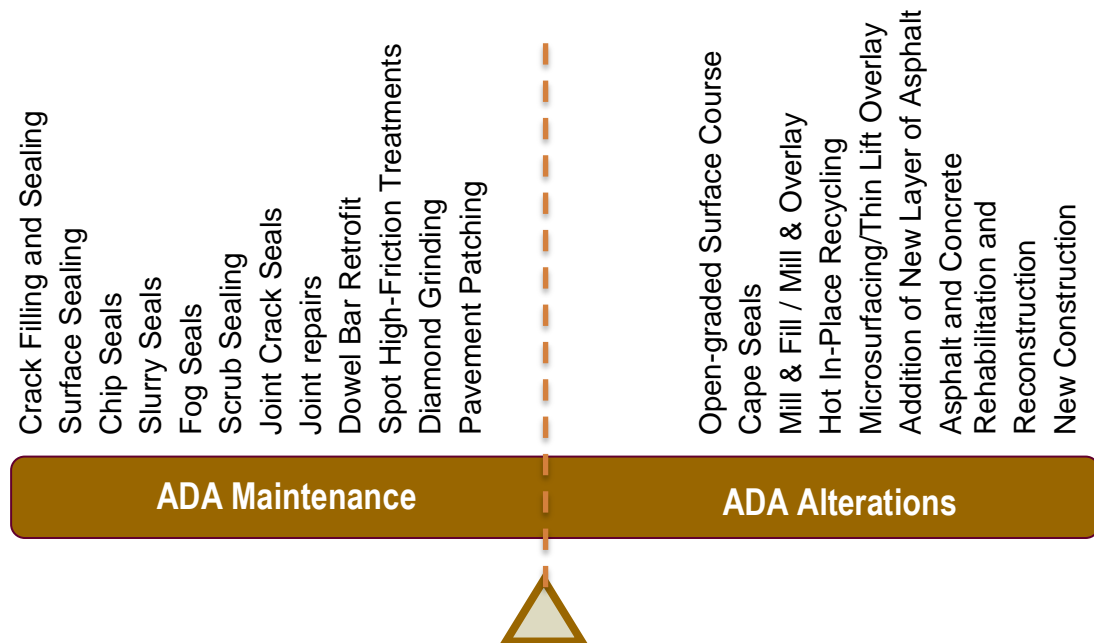
*The Americans with Disabilities Act of 1990 (ADA) is a civil rights statute prohibiting discrimination against persons with disabilities in all aspects of life, including transportation, based on regulations promulgated by the United States Department of Justice (DOJ). DOJ's regulations require accessible planning, design, and construction to integrate people with disabilities into mainstream society. Further, these laws require that public entities responsible for operating and maintaining the public rights-of-way do not discriminate in their programs and activities against persons with disabilities. FHWA's ADA program implements the DOJ regulations through delegated authority to ensure that pedestrians with disabilities have the opportunity to use the transportation system's pedestrian facilities in an accessible and safe manner.*

*FHWA and DOJ met in March 2012 and March 2013 to clarify guidance on the ADA's requirements for constructing curb ramps on resurfacing projects. Projects deemed to be alterations must include curb ramps within the scope of the project.*

*This clarification provides a single Federal policy that identifies specific asphalt and concrete-pavement repair treatments that are considered to be alterations – requiring installation of curb ramps within the scope of the project – and those that are considered to be maintenance, which do not require curb ramps at the time of the improvement. Figure 1 provides a summary of the types of projects that fall within maintenance versus alterations.*

*This approach clearly identifies the types of structural treatments that both DOJ and FHWA agree require curb ramps (when there is a pedestrian walkway with a prepared surface for pedestrian use and a curb, elevation, or other barrier between the street and the walkway) and furthers the goal of the ADA to provide increased accessibility to the public right-of-way for persons with disabilities. This single Federal policy will provide for increased consistency and improved enforcement.*

Figure 1. Maintenance versus Alteration Projects



Source: DOJ Briefing Memorandum on Maintenance versus Alteration Projects

### 3.5 FHWA Guidance on Closing Pedestrian Crossings

An alteration that decreases or has the effect of decreasing the accessibility of a facility below the requirements for new construction at the time of the alteration is prohibited. For example, the removal of an existing curb ramp or sidewalk (without equivalent replacement) is prohibited. However, the FHWA has indicated a crossing may be closed if an engineering study (performed by the City and not included in the scope of this Transition Plan) determines the crossing is not safe for any user. The crossing should be closed by doing the following:

- A physical barrier is required to close a crossing at an intersection. FHWA has determined that a strip of grass between the sidewalk and the curb is acceptable as a physical barrier.
- A sign should be used to communicate the closure.

The agency wishing to close certain intersection crossings should have a reasonable and consistent policy on when to do so written in their Transition Plan or as a standalone document. If safety concerns are established by an engineering study, a pedestrian crossing should not be accommodated for any user. The City of Cookeville should also develop and implement a policy on how to close those crossings that are accommodated based on the existing conditions at the crossing location (e.g. existing sidewalk leading up to the curb in the direction of the crossing or existing curb ramp or crosswalk serving the crossing) but should not be due to safety concerns.

### 3.6 Prioritization

The following sections outline the prioritization factors and results of the prioritization for buildings, parks, signalized intersections, sidewalks, unsignalized intersections, and transit. Each facility type has a different set of parameters to establish the prioritization for improvements. These prioritization factors were taken into consideration when developing the implementation plan for the proposed improvements.

### 3.6.1 Prioritization Factors for Facilities

Buildings and parks were prioritized on a 12-point scale, which is defined in **Table 8**. This prioritization methodology was developed by the Consultant Team to aid the City in determining how the buildings should be prioritized for improvements based on the severity of non-compliance with ADA.

Signalized intersections were prioritized on a 13-point scale. The 13-point scale, which is used to prioritize both signalized and unsignalized intersections, is defined in **Table 9**. This prioritization methodology was developed by the Consultant Team to aid the City in determining which signalized intersections should be prioritized for improvements over other signalized intersections based on the severity of non-compliance with ADA.

Sidewalk corridors were prioritized on a 3-point scale and were given a priority of either "High", "Medium", "Low" based on the severity of non-compliance, which is defined in **Table 10**. Compliant segments of the sidewalk corridor were given a priority label of "Compliant".

Transit stops were prioritized on a 5-point scale, which is defined in **Table 11**. This prioritization methodology was developed by the Consultant Team to aid the City in determining which transit stops should be prioritized for improvements over other transit stops based on the severity of non-compliance with ADA.

*[The remainder of this page intentionally left blank.]*

**Table 8. Prioritization Factors for Buildings/Parks**

Priority	Criteria
<b>1 (high)</b>	Complaint known or imminent danger present
<b>2 (high)</b>	<ul style="list-style-type: none"> <li>Element is more than twice the allowable requirement. No known complaint.</li> <li>AND (for exterior conditions) location is near a hospital, school, transit stop, government building, or other pedestrian attractor.</li> </ul>
<b>3 (high)</b>	<ul style="list-style-type: none"> <li>Element is more than twice the allowable requirement. No known complaint.</li> <li>AND (for exterior conditions) location is not near a hospital, school, transit stop, government building, or other pedestrian attractor.</li> </ul>
<b>4 (high)</b>	Issues with parking or exterior conditions (DOJ level 1) – moderately out of compliance
<b>5 (medium)</b>	Issues with access to goods and services (DOJ level 2) – severely out of compliance
<b>6 (medium)</b>	Issues with: <ul style="list-style-type: none"> <li>Access to goods and services (DOJ level 2) – moderately out of compliance;</li> <li>Parking or exterior conditions (DOJ level 1) – minimally out of compliance; OR</li> <li>Restrooms (DOJ level 3) – severely out of compliance</li> </ul>
<b>7 (medium)</b>	Issues with: <ul style="list-style-type: none"> <li>Access to goods and services (DOJ level 2) – minimally out of compliance;</li> <li>Restrooms (DOJ level 3) – moderately out of compliance; OR</li> <li>Drinking fountains or public phones (DOJ level 4 &amp; 5) – severely out of compliance</li> </ul>
<b>8 (medium)</b>	Issues with drinking fountains or public phones (DOJ level 4 & 5) - moderately out of compliance
<b>9 (low)</b>	Issues with restrooms (DOJ level 3) – minimally out of compliance
<b>10 (low)</b>	Issues with drinking fountains or public phones (DOJ level 4 & 5) - minimally out of compliance
<b>11 (low)</b>	<ul style="list-style-type: none"> <li>Client is a Title II agency; AND</li> <li>Elements out of compliance, but may be able to be handled programmatically or do not need to be handled unless or until the agency hires a person with a disability</li> </ul>
<b>12 (low)</b>	Element is fully compliant with an older standard (safe-harbored), but will need to be brought into compliance with current standards if altered



**Table 9. Prioritization Factors for Signalized and Unsignalized Intersections**

Priority	Criteria
<b>1 (high)</b>	Complaint filed on curb ramp or intersection or known accident/injury at site
<b>2 (high)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>3 (high)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>4 (high)</b>	No curb ramps, but striped crosswalk exists
<b>5 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Running slope &gt; 12%</li> <li>• Cross slope &gt; 7%</li> <li>• Obstruction to or in the curb ramp or landing</li> <li>• Level change &gt; ¼ inch at the bottom of the curb ramp</li> <li>• No detectable warnings</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>6 (medium)</b>	<ul style="list-style-type: none"> <li>• No curb ramp where sidewalk or pedestrian path exists</li> </ul> AND NOT within a couple of blocks of a hospital, retirement facility, medical facility, parking garage, major employer, disability service provider, event facility, bus/transit stop, school, government facility, public facility, park, library, or church, based on field observations.
<b>7 (medium)</b>	Existing diagonal curb ramp (serving both crossing directions on the corner) is non-compliant and should be replaced with two curb ramps, one serving each crossing direction on the corner.
<b>8 (medium)</b>	Existing curb ramp with any of the following conditions: <ul style="list-style-type: none"> <li>• Cross slope &gt; 5%</li> <li>• Width &lt; 36 inches</li> <li>• Median/island crossings that are inaccessible</li> </ul>
<b>9 (low)</b>	Existing curb ramp with either running slope between 8.3% and 11.9% or insufficient turning space
<b>10 (low)</b>	Existing diagonal curb ramp without a 48-inch extension into the crosswalk
<b>11 (low)</b>	Existing pedestrian push button is not accessible from the sidewalk and/or curb ramp
<b>12 (low)</b>	Existing curb ramp with returned curbs where pedestrian travel across the curb is not protected
<b>13 (low)</b>	All other intersections not prioritized above

**Table 10. Prioritization Factors for Sidewalk Corridors**

Criteria	Priority		
	1 (high)	2 (medium)	3 (low)
Cross slope of sidewalk is greater than 2%	Value > 3.5%	3.5% ≥ Value > 2.0%	
Width of sidewalk is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Obstruction present along sidewalk	Obstruction - Permanent	Obstruction - Temporary	
Heaving, sinking, or cracking present on sidewalk	Heaving Sinking Cracking		
Ponding on sidewalk		Ponding	
Missing sidewalk			Missing Sidewalk
Signalized cross street cross slope is greater than 5%	Value > 9.0%	9.0% ≥ Value ≥ 7.0%	7.0% > Value > 5.0%
Unsignalized cross street cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Cross street running slope is greater than 5%	Value > 7.0%	7.0% ≥ Value ≥ 6.0%	6.0% > Value > 5.0%
Driveway sidewalk width is less than 48 inches	Value ≤ 36.0"	36.0" < Value < 42.0"	42.0" < Value < 48.0"
Driveway (or sidewalk if applicable) cross slope is greater than 2%	Value > 6.0%	6.0% ≥ Value ≥ 4.0%	4.0% > Value > 2.0%
Driveway (or sidewalk if applicable) condition is poor or poor dangerous	Elevation change greater than 1/2 inch or gaps greater than 1 inch	Elevation change between 1/4 inch and 1/2 inch or gaps between 1/2 inch and 1 inch	
Railroad crossing excessive sidewalk vertical discontinuity	Elevation change greater than 1/4 inch or gaps greater than 1 inch)		
Railroad crossing pre-fabricated plate is plastic or does not exist	Yes – Plastic or No		
Railroad crossing flangeway gap is greater than 3 inches	Value > 3.0"		
Railroad crossing is missing detectable warning surface(s)	Value > 2.5"		

**Table 11. Prioritization Factors for Transit Stops**

Priority	Criteria
1 (high)	<ul style="list-style-type: none"> <li>No connection from transit stop to adjacent sidewalk</li> <li>Transitions at connections between the boarding area, transit stop sidewalk, and/or sidewalk network is greater than 0.25"</li> <li>Heaving/sinking/cracking in the boarding area, transit stop sidewalk, or sidewalk network that connects to the transit stop with level changes greater than 0.25", or gaps over 0.5"</li> <li>Boarding area does not exist</li> </ul>
2	<ul style="list-style-type: none"> <li>Boarding area length less than 48"</li> <li>Boarding area width less than 36"</li> <li>Boarding area running slope exceeds 5%</li> <li>Permanent obstruction (&gt;0.25") in boarding area, transit stop sidewalk, or sidewalk network</li> <li>Transition at connection to the curb is greater than 0.25"</li> <li>Clear space width under shelter or adjacent to a stand-alone bench is less than 30"</li> </ul>
3	<ul style="list-style-type: none"> <li>Sidewalk network or transit stop sidewalk cross slope is over 3.5%</li> <li>No clear space adjacent to bench under shelter</li> <li>Clear space cross slope under shelter or adjacent to a stand-alone bench is greater than 3.5%</li> <li>Clear space running slope under shelter or adjacent to a stand-alone bench is greater than 3.5%; Clear space length under shelter or adjacent to a stand-alone bench is less than 42"</li> <li>Shelter opening clear width is less than 30"</li> </ul>
4	<ul style="list-style-type: none"> <li>Boarding area length is 48" – 76.9"</li> <li>Boarding area width is 36" – 47.9"</li> <li>Boarding area running slope is 3.1% - 5%</li> <li>Ponding in the boarding area, transit stop sidewalk, or sidewalk network</li> <li>Temporary obstruction (&gt;0.25") in boarding area, transit stop sidewalk, or sidewalk network</li> <li>Sidewalk network connecting to the transit stop is 46.1" – 47.9" wide</li> <li>Sidewalk network cross slope is between 2.1% to 3.5%</li> <li>No transit stop signage</li> <li>Non-compliant transit stop signage</li> <li>No clear space adjacent to stand-alone bench</li> <li>Clear space cross slope under shelter or adjacent to a stand-alone bench is 2.1% - 3.5%</li> <li>Clear space running slope under shelter or adjacent to a stand-alone bench is 2.1% - 3.5%</li> <li>Clear space length under shelter or adjacent to a stand-alone bench is 42" – 45.9"</li> <li>Shelter opening clear width is between 30" and 32"</li> </ul>
5 (low)	<ul style="list-style-type: none"> <li>Boarding area length is 72" - 95.9"</li> <li>Boarding area width is 48" - 59.9"</li> <li>Boarding area running slope is 2.1% - 4.9%</li> <li>Clear space length under shelter or adjacent to a stand-alone bench is 46" – 47.9"</li> </ul>

Table 12, Table 13, Table 14, and Table 15 provide summaries of the prioritization classifications for signalized intersections, sidewalks, unsignalized intersections and transit stops, respectively.

**Table 12. Prioritization Summary Signalized Intersections**

Priority	Number of Intersections
0 (compliant)	14
1 (high)	0
2 (high)	16
3 (high)	0
4 (high)	0
5 (medium)	31
6 (medium)	2
7 (medium)	2
8 (medium)	0
9 (low)	0
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	6
<b>Total</b>	<b>71</b>

**Table 13. Prioritization Summary for Sidewalk Corridors**

Line type	Length (miles) by Priority				
	1 (high)	2 (medium)	3 (low)	Compliant	Total
<b>Sidewalks</b>	13.98	22.20	1.12	32.11	69.40
<b>Trails</b>	8.96	1.32	0.74	0.08	11.09
<b>Driveways</b>	5.93	3.88	1.29	1.56	12.67
<b>Cross Streets</b>	0.61	0.86	1.93	3.19	6.59
<b>Total</b>	<b>29.48</b>	<b>28.25</b>	<b>5.08</b>	<b>36.93</b>	<b>99.74</b>

**Table 14. Prioritization Summary for Unsignalized Intersections**

Priority	Number of Intersections
0 (compliant)	6
1 (high)	0
2 (high)	148
3 (high)	36
4 (high)	4
5 (medium)	232
6 (medium)	41
7 (medium)	2
8 (medium)	1
9 (low)	1
10 (low)	0
11 (low)	0
12 (low)	0
13 (low)	76
<b>Total</b>	<b>547</b>

**Table 15. Prioritization Summary for Transit Stops**

Priority	Number of Transit Stops
0 (compliant)	3
1	1
2	2
3	0
4	9
5 (low)	0
<b>Total</b>	<b>15</b>

### 3.7 Conclusion

This document serves as the Americans with Disabilities Act (ADA) Transition Plan for the City of Cookeville. In developing the Transition Plan, program, services, and activities were reviewed for compliance with ADA guidelines and a Self-Evaluation was conducted on the following facilities:

- 25 of 25 buildings;
- 10 of 10 parks;
- 71 of 71 signalized intersections; and
- 99 of 99 miles of sidewalk and all unsignalized intersections and driveways along the sidewalk corridors.
- 15 of 15 Transit Stops

The recommended improvements were prioritized and an implementation plan was developed to provide guidance for the City's improvement projects in the coming years. Public outreach was also conducted to aid in the development of the plan.

The City is taking the actions referenced below and will continue to look for and remedy, barriers to access to ensure that Cookeville citizens who are disabled are given access to the City's programs, services, and activities.

To confirm follow-up on corrective actions required under the Transition Plan, the City will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action Log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of the Transition Plan by the Governing Body of the City, the ADA Action Log will be updated on an annual basis. The ADA Action Log should be available upon request. See example of ADA Action Log provided in **Appendix G**.

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## 4.0 Staff Training

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Training was provided to City staff to address some of the issues identified in the departmental surveys and interviews. The following training sessions were provided by the Consultant Team:

- October 24, 2018, 7am – Customer Contact Training
- October 24, 2018, 9:30am – Regulations Training
- October 24, 2018, 2:30pm – Customer Contact Training

Descriptions of each training course are provided below:

### Customer Contact (2 hours)

Overview of the access criteria and requirements mandated for State and local government staff interacting with the public. Best practices for sensitive and respectful interactions are explained. Communication topics include correct language and etiquette, appropriate use of terminology, and dealing with service animals in public places.

City Staff in Attendance: 42

### Regulations Training (4 hours)

The 2010 ADA Standards for Accessibility went into effect on March 15th, 2012. Get information on implementing these guidelines, understand when the new rules apply, how they differ from existing codes and the ways in which they are more stringent than the State or Building Codes. Learn which must be complied with and how they can be incorporated into your master planning to create a framework to consistently meet ADA compliance. This class is important for designers and engineers building facilities, infrastructure and parks in the city.

City Staff in Attendance: 28

### Customer Contact (2 hours)

Overview of the access criteria and requirements mandated for State and local government staff interacting with the public. Best practices for sensitive and respectful interactions are explained. Communication topics include correct language and etiquette, appropriate use of terminology, and dealing with service animals in public places.

City Staff in Attendance: 42



## 5.0 Facility Costs

### 5.1 Facilities Cost Projection Overview

To identify funding sources and develop a reasonable implementation schedule, cost projection summaries for only the facilities evaluated were developed for each facility type. To develop these summaries, recent bid tabulations from Tennessee Department of Transportation (TDOT) construction projects, along with Consultant Team experience with similar types of projects, were the basis for the unit prices used to calculate the improvement costs. A contingency percentage (15%) was added to the subtotal to account for increases in unit prices in the future in addition to an engineering design percentage (20%). All costs are in 2017 dollars. **Table 16** provides a summary of the estimated costs to bring each facility into compliance.

**Table 16. Summary of Facility Costs**

Facility Type	Priority			
	High	Medium	Low	Total
Buildings	\$38,190	\$1,413,830	\$19,100	\$1,471,120
Building Sidewalk	\$80,433	\$78,563	\$3,304	\$162,300
Building Unsignalized Intersections	\$50,400	\$0	\$700	\$51,100
Parks	\$293,495	\$775,625	\$18,015	\$1,087,135
Park Sidewalk	\$366,400	\$175,000	\$1,100	\$542,500
Park Unsignalized Intersections	\$47,800	\$0	\$4,200	\$52,000
Paved Trails	\$1,081,200	\$1,331,700	\$92,000	\$2,504,900
Paved Trails Unsignalized Intersections	\$3,900	\$2,300	\$81,100	\$87,300
Signalized Intersections	\$1,158,400	\$2,346,500	\$155,900	\$3,660,800
Public Rights-of-Way Sidewalk	\$8,202,559	\$5,741,808	\$804,433	\$14,748,800
Public Rights-of-Way Unsignalized Intersections	\$4,357,600	\$6,700,100	\$293,400	\$11,351,100
Railroad Crossings	\$152,600	\$0	\$0	\$152,600
Transit Stops	\$0	\$6,200	\$0	\$6,200
<b>Total</b>	<b>\$15,832,977</b>	<b>\$18,571,626</b>	<b>\$1,473,252</b>	<b>\$35,877,855</b>

## 5.2 Implementation Schedule

**Table 17** details the barrier removal costs and proposed implementation schedule by facility type for all City-owned facilities evaluated. Buildings that were evaluated but are not owned by the City are excluded from the implementation schedule. This 30-year plan will serve as the implementation schedule for the Transition Plan. The City of Cookeville reserves the right to change the barrier removal priorities on an ongoing basis to allow flexibility in accommodating community requests, petitions for reasonable modifications from individuals with disabilities, and changes in City programs.

It is the intent of the City to have its ADA Coordinator work together with department heads and budget staff to determine the funding sources for barrier removal projects. Once funding is identified, the ADA Coordinator will coordinate the placement of the projects in the Capital Improvement Program to be addressed on a fiscal year basis.

**Table 17. Implementation Schedule**

Facility Type	Estimated Cost	Implementation Schedule (years)	Approximate Annual Budget
Buildings	\$1,471,120	30	\$49,100
Building Sidewalk	\$162,300	30	\$5,500
Building Unsignalized Intersections	\$51,100	30	\$1,800
Parks	\$1,087,135	30	\$36,300
Park Sidewalk	\$542,500	30	\$18,100
Park Unsignalized Intersections	\$52,000	30	\$1,800
Paved Trails	\$2,504,900	30	\$83,500
Paved Trails Unsignalized Intersections	\$87,300	30	\$3,000
Signalized Intersections	\$3,660,800	30	\$122,100
Public Rights-of-Way Sidewalk	\$14,748,800	30	\$491,700
Public Rights-of-Way Unsignalized Intersections	\$11,351,100	30	\$378,400
Railroad Crossings	\$152,600	30	\$5,100
Transit Stops	\$6,200	30	\$300
<b>City Total</b>	<b>\$35,877,855</b>		
<b>Total Annual Budget</b>			<b>\$1,196,700</b>

### 5.3 Funding Opportunities

Several alternative funding sources are available to the City to complete the improvements in this Transition Plan. The funding opportunities include applying for resources at the federal and state level, consideration of local options, and leveraging private resources. The following sections detail some different funding source options.

#### 5.3.1 Federal and State Funding

**Table 18** depicts the various types of federal and state funding available for the City to apply for funding for various improvement. The following agencies and funding options are represented in the chart.

- BRI – Bridge - Highway Bridge Replacement and Rehabilitation (HBRRP)
- CMAQ – Congestion Mitigation/Air Quality
- FLH – Federal Lands Highways Program
- HSIP – Highway Safety Improvement Program
- NHPP – National Highway Performance Program
- RHC – Railway-Highway Crossing
- SRTS – Safe Routes to School (Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) now under TAP)
- STBG – Surface Transportation Block Grant
- TAP – Transportation Alternatives Program

Most of these programs are competitive type grants; therefore, the City of Cookeville is not guaranteed to receive these funds. It will be important for the City of Cookeville to track these programs to apply for the funds.

**Table 18. Funding Opportunities**

ACTIVITY	BRI	CMAQ	FLH	HSIP	NHPP	RHC	SRTS	STBG	TAP
Pedestrian plan		X		X				X	
Paved shoulders	X	X	X	X	X	X		X	X
Shared-use path/trail	X	X	X	X	X		X	X	X
Recreational trail			X						X
Spot improvement program		X		X			X	X	X
Maps		X		X			X	X	
Trail/highway intersection		X	X	X	X		X	X	X
Sidewalks, new or retrofit	X	X	X	X	X	X	X	X	X
Crosswalks, new or retrofit		X	X	X	X	X	X	X	X
Signal improvements		X		X	X	X	X	X	X
Curb cuts and ramps		X		X	X	X	X	X	X
Traffic calming				X		X	X	X	X
Safety brochure/book		X		X			X	X	X
Training		X		X	X		X	X	X

### 5.3.2 Local Funding

There are several local funding options for the City to consider, including:

- Community Development Block Grants (CDBG)
- Community Improvement District (CID) – A geographically defined district in which commercial property owners vote to impose a self-tax. Funds are then collected by the taxing authority and given to a board of directors elected by the property owners.
- General fund (sales tax and bond issue)
- Scheduled/funded CIP projects that are funded through bonds
- Sidewalk or Access Improvement Fee
- Special tax districts – A district with the power to provide some governmental or quasi-governmental service and to raise revenue by taxation, special assessment, or charges for services.
- Tax Allocation District (TAD) – A defined area where real estate property tax monies gathered above a certain threshold for a certain period of time (typically 25 years) to be used for a specified improvement. The funds raised from a TAD are placed in a tax-free bond (finance) where the money can continue to grow. These improvements are typically for revitalization and especially to complete redevelopment efforts.
- Tax Increment Financing District (TIF) – A TIF allows cities to create special districts and to make public improvements within those districts that will generate private-sector development. During the development period, the tax base is frozen at the predevelopment level. Property taxes continue to be paid, but taxes derived from increases in assessed values (the tax increment) resulting from new development either go into a special fund created to retire bonds issued to originate the development, or leverage future growth in the district.
- Transportation Reinvestment Zone
- Transportation User Fee / Street Maintenance Fee

### 5.3.3 Private Funding

Private funding may include local and national foundations, endowments, private development, and private individuals. While obtaining private funding to provide improvements along entire corridors might be difficult, it is important for the City to require private developers to improve pedestrian facilities to current ADA requirements, whether it by new development or redevelopment of an existing property.

## 5.4 Next Steps

The City will begin internal coordination to address the programmatic barriers identified in the Transition Plan.

The City will develop a budget to include the next 30 fiscal years. Projects identified in the ADA Transition Plan will be programmed within the 30-year budget based prioritization provided (see **Section 3.6 Prioritization**) and other factors determined by the City, such as how barrier removal can be incorporated into existing City projects identified for capital improvements.

The City also intends to adopt the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) to enable City enforcement of these guidelines throughout the design and construction process of pedestrian facilities in the public rights-of-way.

## Appendix

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### Appendix A: Public Outreach

- Public Workshop Meeting Notes

- ADA Advisory Committee Meeting Notes

### Appendix B: Departmental Survey and Interview Finding Summaries

### Appendix C: Policies, Procedures and Forms

- Title I Grievance Policy and Procedure

- Title I Grievance Form

- Title II Grievance Policy and Procedure

- Title II Grievance Form

- Public Notice Under the Americans with Disabilities Act

- Roles and Responsibilities of the ADA/504 Coordinator

- ADA Non-Discrimination Statement Policy

### Appendix D: Programs, Services, and Activities Review

- Job Description Review

- Equivalent Language Guidance

- Documents, Forms, and Videos Review

- Cursory Website Review

### Appendix E: Facility Maps

- Buildings

- Parks

- Trails

- Signalized Intersections

- Sidewalk Corridors

Transit and Railroad Crossing

Appendix F: Facility Reports

Building Combined Cost Projection Summary

Buildings

Building Sidewalk

Building Unsignalized Intersections

Park Combined Cost Projection Summary

Parks

Park Sidewalk

Park Unsignalized Intersections

Paved Trails

Signalized Intersections

Sidewalk Corridors

Unsignalized Intersections

Railroad Crossings

Transit Stops

Appendix G: ADA Action Log